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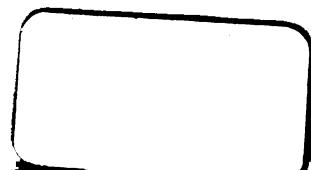
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STATE OF NEW YORK

SECOND ANNUAL REPORT

OF THE

PUBLIC SERVICE COMMISSION

SECOND DISTRICT

FOR THE YEAR ENDING DECEMBER 31, 1908

COMMISSIONERS

**FRANK W. STEVENS, Chairman
THOMAS M. OSBORNE
MARTIN S. DECKER
JAMES E. SAGUE
JOHN B. OLMSTED**

Volume I

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1909**

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1909

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LETTERS OF TRANSMITTAL

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT,
ALBANY, January 13, 1909.

HON. HORACE WHITE,
Lieutenant-Governor,
Albany, N. Y.:

DEAR SIR: I have the honor to transmit herewith the report of the Public Service Commission, Second District, for the year ending December 31, 1908.

Very truly yours,

F. W. STEVENS,
Chairman.

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT,
ALBANY, January 13, 1909.

HON. JAMES W. WADSWORTH, JR.,
Speaker of the Assembly,
Albany, N. Y.:

DEAR SIR: I have the honor to transmit herewith the report of the Public Service Commission, Second District, for the year ending December 31, 1908.

Very truly yours,

F. W. STEVENS,
Chairman.



STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

To the Legislature:

The Second Annual Report of the Public Service Commission, Second District, for the year ending December 31, 1908, is here-with submitted, pursuant to the requirements of the Public Service Commissions Law, chapter 429, laws of 1907.

At the close of the year there were 854 corporations, municipalities, and individuals engaged in serving the public in some capacity that by operation of law placed them under the supervision of this Commission. The following is a classification of the same:

Street Railroad Corporations:

Operating	76
Not operating, either inchoate or dormant	25
Not operating, lessor	91
Individual operating railroad	1
	— 193

Street Railroad Corporations:

Operating	80
Not operating, either inchoate or dormant	44
Not operating, lessor	17
	— 141

Express Companies:

Operating on steam and street railroads	7
	— 7

Sleeping Car Company:

Operating on steam railroads	1
	— 1

Electrical Corporations and Plants:

Operating	183
Not operating, either inchoate or dormant	17
Not operating, lessor	5
Individuals operating plants	60
Municipalities operating plants	48
	— — 313

<i>Coal Gas or Water Gas Corporations:</i>	
Operating	36
Not operating, inchoate	1
Individuals operating plants	2
	—
	39
<i>Coal Gas or Water Gas and Electrical Corporations:</i>	
Operating	47
Not operating, dormant	1
	—
	48
<i>Natural Gas Corporations and Plants:</i>	
Operating	43
Not operating, dormant	1
Not operating, lessor	1
Individuals operating plants	10
	—
	55
<i>Electrical and Natural Gas Corporations:</i>	
Operating	3
Not operating, inchoate	1
	—
	4
<i>Acetylene Gas or Gasoline Gas Corporations and Plants:</i>	
Operating	34
Individuals operating plants	16
Municipalities operating plants	3
	—
	53

At the beginnig of the year the number of persons in the employ of the Commission was 66; at the end of the year the number was 88: an increase in number of 22 during the year.

The total number of complaints received during the year was 1399, which have been divided into two classes, according to the method of handling the same. Of the total number, 1147 have been termed correspondence complaints, being made the subject of correspondence with the corporations against which the complaint was made; of these complaints, 928 have been closed. Two hundred and fifty-two were formal complaints to which answers were required under section 48 of the Public Service Commissions Law, and upon which hearings were given unless the matter complained of was satisfied by the respondent; of these complaints, 172 have been closed.

There were received 207 applications from corporations for authorizations and permits of various kinds.

Three hundred and ninety-six public hearings have been held by the Commission, and 287 railroad accidents have been investigated by its employees.

Detailed results of the work of the Commission and its employees will be given in the appendices to this report. Such subjects as it seems desirable to bring to the attention of the Legislature at this time are treated under separate titles, as follows:

- I. Capitalization.
- II. Uniform Systems of Accounts for Gas, Electrical, and Street Railroad Corporations.
- III. Forms of Annual Reports.
- IV. Railroad Tariffs and Rate Discriminations.
- V. Freight Rates.
- VI. Passenger Train Delays.
- VII. Locomotive Engine Failures.
- VIII. Locomotive Boiler Inspection.
- IX. Prevention of Accidents on Railroads.
- X. Buffalo Passenger Terminals.
- XI. Informal Complaints.
- XII. Grade Crossing Eliminations.
- XIII. Work of Division of Light, Heat, and Power.
- XIV. Work of Division of Statistics and Accounts.
- XV. Work of Division of Railroad Engineering and Inspection.
- XVI. Work of Division of Tariffs.
- XVII. Legal Department.
- XVIII. Sundry Applications.

I. CAPITALIZATION.

In its report for the year 1907, this Commission set out the rules which it had adopted governing its practice upon applications under sections 55 and 69 of the Public Service Commissions Law for authorization to issue stock, bonds, or other evidence of indebtedness. It also pointed out with some detail certain general principles which it deemed should govern its action in disposing of applications of this character. During the eighteen months the Commission has been in existence a very considerable number of applications has been made to the Commission under these sections, and numerous important questions have been presented for its consideration and solution. In cases which required the laying down of a principle not theretofore applied, the Commission has, in accordance with its general custom, given written opinions discussing fully the questions presented. The great importance of such course in the development of a consistent body of decisions, and in the guidance of corporations and investors generally, is beyond question and needs no particular discussion at this time.

The principles enunciated by the Commission and the reasons sustaining them can best be ascertained by reference to the opinions themselves, which have been printed and circulated in pamphlet form. It is, however, deemed advisable to summarize the chief decisions made.

In three cases: namely, in the matter of the petition of the Erie Railroad Company for authority to issue its interest-bearing warrants evidencing the right of its stockholders to dividends on its first and second preferred stock, decided February 22nd; in the matter of the application of the Babylon Electric Light Company for authority to issue capital stock to the amount of \$60,000, decided March 9th; and in the matter of the petition of The Lehigh and Hudson River Railway Company for authorization of an issue of bonds to the amount of \$300,000, decided May 7th; it was held that the use of capital to be secured by the issue of stock, bonds, or other evidence of indebtedness must be necessary for one or more of the four purposes specified in each of sections 55 and 69: that the amount authorized is reasonably required for one or more of said purposes. In other words: that an enumeration of purposes for which stock, bonds, and other evidence of indebtedness may be issued is exclusive and not inclusive; that stock and bonds may not be issued for purposes not enumerated in the statute, either with or without the authorization of the Commission.

Pursuant to the principle thus enunciated, it was held in the case of the application of the Erie Railroad Company that a scrip dividend is not one of such purposes; in the case of the application of the Babylon Electric Light Company, that a stock dividend is not one of such purposes; and in the case of The Lehigh and Hudson River Railway Company, that the reimbursing of a treasury for previous payments made for one of the purposes named in the statute is not one of such purposes. In the case of scrip dividends and stock dividends, it was pointed out that no capital whatever is secured to the company by the proposed issue of stock or scrip; and in The Lehigh and Hudson River Railway Company case, it was shown that moneys secured by bond issues for the so called reimbursement of the treasury could be expended for any lawful purpose although not one of the purposes named

in sections 55 and 69, whereas the statute plainly requires that they must be expended for one of those purposes only, and must be reasonably required therefor.

In the application of the Newburgh Light, Heat and Power Company, a case decided August 21, 1907, the Commission denied the application for authorization of preferred stock to the amount of \$250,000, entitled to a cumulative annual dividend of 8 per cent., thus creating a permanent annual fixed charge of \$20,000. It was held that the condition of the money market taken in connection with the physical condition of the applicant corporation did not justify a fixed charge of this amount.

In the application of the Watertown Light and Power Company for authorization of an increase of its capital stock and bonded indebtedness, it was suggested to the Commission by the corporation counsel of the city appearing in opposition to the application that the existing capitalization of the applicant was excessive, in other words, what was commonly known as watered, and that for this reason the application should be denied as tending to increase an unwarranted capitalization. Upon the question thus raised the Commission adopted, unanimously, certain propositions, as follows: (a) That it (the Commission) will not investigate or inquire into the correctness of the capitalization of the Watertown Light and Power Company authorized by the former Commission of Gas and Electricity; and therefore will not inquire in this proceeding into any alleged over-capitalization of the applicant existing at the time the application was made; (b) that the investigation upon this application for additional capitalization will be confined to the question whether such capitalization should be authorized by reason of the actual investment of the money to be secured thereby for the purposes of the corporation recognized by law as a subject of capitalization.

In the same case, the question was presented whether the Commission might authorize the applicant to issue bonds to acquire money with which to make expenditures on property not presently necessary in the discharge of the public service functions of the corporation. It was held that public service corporations may be authorized to make expenditures incidentally for purposes other than public service, if such expenditures are on property to be used ultimately and properly for such public service.

An interesting question early presented itself to the Commission, as to what extent the investing public might be justified in relying upon the authorization given by the Commission as an implied certificate that the bonds or stock to be issued were worth their face value or any other amount. It was obvious that the practice of the Commission in carefully investigating the purposes for which bonds or stock were to be issued, and passing upon the necessity of the sum to be secured by such issue in carrying out said purposes, would create a feeling upon the part of some that such investigations could be relied upon as establishing the value of the securities. This identical question arose upon the application of the Hudson River Electric Power Company, decided December 4, 1907, for leave to issue bonds to the amount of \$3,232,000. Upon this point the Commission said:

"In passing upon the application for leave to issue additional capital stock, the Commission will consider:

"(5) Whether there is reasonable prospect of fair return upon the investment proposed, to the end that securities having apparent worth but actually little or no value may not be issued with our sanction.

"We think that to a reasonable extent the interests of the investing public should be considered by us in passing upon these applications.

"The Commission should satisfy itself that, in a general way, the venture will be likely to prove commercially feasible, but it should not undertake to reach and announce a definite conclusion that the new construction or improvement actually constitutes a safe or attractive basis for investment. Commercial enterprises depend for their success upon so many conditions which can not be foreseen or reckoned with in advance, that the duty of the Commission is discharged as to applications of this character when it has satisfied itself that the contemplated purpose is a fair business proposition."

So in the case of the Watertown Light and Power Company, heretofore mentioned, upon practically the same point the Commission held that the purchasers of securities authorized by it are not exempt from the business risks involved in the possibility of the corporation issuing the securities being over-capitalized.

In a series of applications arising out of the desire of the Lockport Light, Heat and Power Company, a new corporation, to purchase the property and franchises of two existing and competing gas and electrical corporations, decided October 31, 1907, it was held that a sale of the property and franchises of two gas or electrical corporations to a third is virtually a consolidation of such two corporations, and as such is subject to section 69

of the Public Service Commissions Law, providing that the capital stock of a corporation formed by the merger or consolidation of two or more other corporations shall not exceed the capital stock of the corporations so consolidated at the par value thereof, or such sum and any additional sum actually paid in cash. In this case various conditions were imposed upon the consummation of the desired purchase, which conditions were accepted by the applicants.

The application of the Elmira, Corning and Waverly Railway, decided July 23, 1908, was for an authorization to issue bonds of the applicant in exchange for the stocks of other railroad corporations. The question involved was whether authorization should be given to issue bonds for such purpose, but such question was not directly passed upon by the Commission. The application was denied upon the ground that the fair value of the stocks proposed to be purchased was not equal to the par value of the bonds proposed to be issued, leaving the question unsolved whether the purchase of stocks of other railroad corporations was within the fair purview of the language "when necessary for the acquisition of property," as used in section 55.

The application of the Rochester Corning Elmira Traction Company, decided March 30, 1908, was exceedingly important as being the first case brought before the Commission involving the capitalization to be authorized in the case of a new street railroad corporation. Prolonged and laborious inquiry was made into the principles governing such capitalization, and the following, from the head note of the case, expresses the conclusions laid down by the Commission in that case as the basis of its determination:

"Upon application for capitalization of a newly organized railroad company the proceeds of such capitalization to be used for constructing and putting in operation its railroad:

"5. Proof will be required showing in careful detail the probable cost of the physical construction and equipment of the road.

"6. In addition to estimates of the physical cost, proof should be given touching the following matters which enter into the expense of launching the enterprise: (a) expense of organization; (b) incorporation tax; (c) expense of obtaining certificate of public convenience and a necessity; (d) preliminary engineering expenses; (e) expense of proceedings to procure authorization of issue of stock and bonds; (f) expense of marketing securities; (g) discount upon bonds provided they can not be sold at par; (h)

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interest upon the bond issue during the period of construction and prior to the beginning of revenue producing operations; (i) compensation of officers during the construction period; (j) incidental expenses during construction period; (k) expense of obtaining local franchise and consents.

"7. An allowance will be made for a proper amount of working capital to be determined by the extent of the proper operations.

"8. A fair allowance will be made for services in promoting the organization of the enterprise. Such allowance will be placed upon the basis of just payments for valuable and indispensable services.

"The division of the capitalization between stock and bonds will be determined in substantially the following manner whenever the same is practicable:

"9. An estimate will be made from consideration of the results of operation of existing roads of the probable gross earnings.

"10. An estimate will be made in like manner of the probable operating expenses, taxes, and depreciation charges.

"11. The excess of earnings over the disbursements which must be made before fixed charges can be met represents the sum which is applicable to fixed charges.

"12. The maximum bond issue which will be allowed must be determined by the sum thus ascertained to be applicable to the payment of the interest charge.

"13. No bond issue should be permitted creating an interest charge beyond an amount which it is reasonably certain can be met from the net earnings.

"14. Stock representing a cash investment should be required to an amount sufficient to afford a moral guaranty that in the judgment of those investing the enterprise is likely to prove commercially successful.

"The order authorizing such stock and bond issues will contain appropriate provisions designed to secure the construction of the road in accordance with the plans and specifications upon which the authorization was made and not in excess of the actual requirements.

"If the allowance proves inadequate for the required purposes, an application for further capitalization may be made, upon which application the expenditure of the proceeds of stock and bonds already authorized must be shown in detail."

In the case of an authorization of stocks, bonds, notes, or other evidence of indebtedness for the payment of interest obligations, the language of the statute is that the corporations under the authorization of the Commission "may issue stocks, bonds, notes, or other evidence of indebtedness payable at periods of more than twelve months after the date thereof when necessary for the discharge or lawful refunding of its obligations". In the application of The Lehigh and Hudson River Railway Company, decided May 7, 1908, the Commission held:

"Upon applications for an order of authorization under these sections (55 and 69) the proposed use of the capital to be secured being the discharge or lawful refunding of obligations of the applicant, inquiry will be made as

to the consideration of such obligations and the use to which such consideration was put, with a view to ascertaining whether such obligations are proper subjects of capitalization."

The Commission in this case did not go into the subject extensively, but contented itself with calling attention in a general way to the point that the purpose for which the obligation was incurred could properly be considered upon an application to issue bonds in payment therefor. Its language was as follows:

"It is apparent that obligations may be issued for other than proper corporate purposes, and also for purposes which are not the proper subjects of capitalization. The mere fact that obligations exist is not of itself sufficient to justify their capitalization. The purposes for which the indebtedness was incurred, or to express the idea with greater exactness, the uses made of the funds or property acquired or services rendered as the consideration of such obligations, are material subjects of inquiry. It is not intended at this time to point out what indebtedness may and what may not be capitalized. The dividing line should be established after careful and exhaustive inquiry into the governing principles.

"It is sufficient for present purposes to call attention to the fact that some obligations may be the proper subject of capitalization and other obligations may not be. One purpose of the Public Service Commissions Law is to restrain and limit the hitherto irrepressible elasticity of corporate capitalization to the matters which may properly be capitalized, and the same discriminating scrutiny should and will be extended to indebtedness as to other subjects enumerated in that statute."

In the application of The Delaware and Hudson Company for authorization to issue bonds, the point was again presented more directly. The company sought to issue bonds for the purpose of refunding outstanding obligations. On the first hearing authorization was given for the issue of a very considerable amount of bonds, but respecting a portion of the application the Commission held as follows:

"Certain note obligations of the company covering the acquisition of securities of two electric railway companies, the United Traction Company and the Troy and New England Railway Company; and advances made to the Hudson Coal Company, the applicant's subsidiary coal corporation, are not supported by proof necessary to enable the Commission to say that the expenditures from the proceeds of the notes were for such purposes as justify a holding that the capital now sought to be secured to refund such note obligations is reasonably required; and without expressing any present opinion in relation to the proposed capitalization covering such acquisition of property, it is held that these are matters which may be presented by the applicant in an application for further hearing."

Further hearing having been requested by the applicant in these matters, such hearing was given and new evidence adduced. The

matter was given elaborate consideration, and in a decision filed December 7, 1908, the Commission declined to permit the issue of bonds for the refunding of obligations incurred in the purchase of the United Traction Company stock and in making advances to subsidiary coal companies.

It was held that the Commission may properly and lawfully deny an application for a bond issue, the proceeds of which are proposed to be devoted to the discharge or refunding of a conceded lawful indebtedness of a definite amount, as a matter of wise discretion. That one factor upon which such discretion may be based is the purpose for which the indebtedness was incurred. In this case it should be pointed out that the objection was not primarily to a bond issue standing by itself, but to a bond issue upon the security and under the authority of a mortgage covering solely the steam railroad properties of the applicant. The applicant is authorized by law to engage in business other than that of operating a steam railroad. It is also authorized to operate a street railroad, and the proposed bond issue was to be secured by a mortgage covering solely the steam railroad properties of the corporation. It was held that a bond issue which creates an annual charge upon railroad properties for purposes unconnected with those properties tends to limit the amount annually available from income for the proper management and betterment of such properties, and that a lien upon such properties for the principal sum limits by the amount of such principal sum the credit of the corporation in borrowing upon their security sums which may be necessary from time to time for their improvement and extension.

The principle thus enunciated is exceedingly important in the management of properties under the supervision of the Commission. The considerations impelling the conclusions reached by the Commission are stated at length in the prevailing opinions, and need not be further enlarged upon at this time in a review which is designed merely to point out the conclusions reached.

In the matter of the application of The New York Central and Hudson River Railroad Company for leave to acquire certain stocks, and in the matter of the application of the Rochester and Eastern Rapid Railway Company for authorization of an issue of capital stock, decided July 21, 1908, it was found that the

provisions of the Public Service Commissions Law restricting the amount of the capital stock of a public service corporation which could be held by a business corporation, compelled a change in the corporate relations of the Mohawk Valley Company, a business corporation and a holding company, to its subsidiary companies which were public service corporations. The Commission determined that wise policy and a just regard for both the public and private interests affected required it to authorize such reorganization as within the law best met the exigencies of the situation.

In The Delaware and Hudson Company case, it declined to give weight to the consideration that the indebtedness which it refused to allow to be made a lien upon the railroad properties of the applicant was incurred before the passage of the Public Service Commissions Law. The distinction between the two cases in this regard is apparent. In one, the law itself compels readjustment of the relations of certain corporations and public interest demands that such readjustment be accomplished in a manner which will occasion the least injury to the corporations and the most benefit to the public. In the other, an indebtedness of a definite amount existed and the only question was as to when it should be paid and what security should be given for the payment. The security proposed to be given, to wit, a mortgage upon the railroad properties of the applicant, was not satisfactory, as being against public interest; and further, it was not shown that the company was unable to finance the situation in some other feasible and practicable way.

In the application of The New York Central and Hudson River Railroad Company for leave to acquire certain stocks, just referred to, a point of great practical importance was touched upon, and the conclusion of the Commission is stated in the head note of the case, as follows:

"In an inquiry into the rates and charges of a public service corporation, that portion of its capital stock issued for the purpose of owning and holding the stocks of other corporations is not a factor to be considered. Upon such an inquiry, if the capital stock of the corporation is an element to be considered, only that portion of the capital stock which may be said to represent the property operated is entitled to be regarded."

The foregoing review of its more important decisions upon questions of capitalization shows that the Commission stands

firmly upon two propositions: First, that it has no power to authorize the issue of stocks, bonds, or other evidence of indebtedness except for one or more of the purposes enumerated in sections 55 and 69 of the Public Service Commissions Law; second, that within the limits of those purposes it has a very wide discretion as to the purposes and all of the details of the proposed issue: that this discretion is to be controlled by sound general principles of universal application. While no formal decision has been rendered as to the extent the Commission will undertake to control the discretion of boards of directors, its undeviating practice is not to interfere with that discretion unless its exercise is deemed to be clearly unwise and prejudicial to public interests by reason of its infringing upon some general principle essential to the public welfare. In other words, the denial of an application of this character imposes upon the Commission the burden of pointing out clearly and conclusively wherein the granting of the same would be improper or unwise.

The practice of the Commission is to require that stocks shall, in conformity to law, be issued for cash, at the par value thereof; or if they are issued for property or service, it requires satisfactory proof as to the value of such property or service, to the end that the stock shall not be issued for less than the true cash value of such property or service. Bonds are permitted to be issued with reference to actual market conditions and the value of money. Two forms of order are used: One in which, if the company desires to issue bonds at less than their par value, a contract for the sale of the same must be reported to the Commission and approved; in the other, a minimum price is fixed below which the bonds can not be sold, leaving the company at liberty to sell the same at that price or at such better price as it can obtain in the market.

Attention should be especially directed to the practice of the Commission upon certain points of great importance, additional to that of discount allowed upon a sale of bonds. As shown above, it was determined in the Rochester Corning Elmira Traction Company case that an allowance will be made for a proper amount of working capital to be determined by the extent of the proper operations of the corporation, and that a fair allowance will be

made for services in promoting the organization of the enterprise. Such allowance will be placed upon the basis of just payments for valuable and indispensable services.

In these three matters of discount on bonds, working capital, and allowance for promotion services, the practice is understood to be different from that prevailing in Massachusetts. Since 1894, commissions in that State have had control of the amount of securities that public service corporations can issue for any and all purposes. The statutes under which they act are in many respects similar to the Public Service Commissions Law, in this particular: railroads and street railroads must apply to the railroad commission, gas and electric light corporations to the gas and electric light commission, and telephone and telegraph, aqueduct and water companies to the commissioner of corporations. Both the railroad and the gas and electric light commissions refuse to permit securities to be issued for discount on bonds. It is understood that the railroad commission apparently disapproves of an issue of stock or bonds to provide working capital, but that the gas and electric light commission permits this item to be included in a company's original capitalization.

The Commission has not found occasion to doubt the correctness of its conclusions upon these points. It has endeavored and will continue to endeavor to make its rulings such as to encourage the investment of capital and the promotion of enterprise. The interests of the public imperatively demand these results, and the Commission believes that they are not in the slightest degree inconsistent with the protection of the public against those practices which have justly earned the condemnation of the public and led to the regulation of corporate capitalization by law.

The following tables show the applications which have been made to the Commission during the year, pursuant to sections 55 and 69 of the Public Service Commissions Law, for issues of stocks, bonds, or other evidences of indebtedness:

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TABLE showing applications under section 55 of the Public Service Commissions Law for permit to issue stocks, bonds, and other evidence of indebtedness by railroad corporations:

Name of corporation.	Nature of security.	Allowed.	Date of permit, 1908
Eastern New York Railroad Company.....	Stocks.....	.....	Dismissed
Erie Railroad Company.....	Bonds.....	.....	Dismissed
Erie Railroad Company.....	Dividend warrants.....	.....	App. denied
Erie Railroad Company.....	Notes.....	\$15,000,000 00	Mar. 31
Erie Railroad Company.....	Bonds.....	9,457,000 00	Mar. 31
Erie Railroad Company.....	Penn. collateral indentures.....	750,000 00	Mar. 31
Rochester Corning Elmira Traction Co.....	Stock.....	3,880,000 00	Mar. 31
Fitchburg Railroad Company.....	Bonds.....	4,210,000 00	Mar. 31
The N. Y. C. & H. R. R. Co.....	Bonds.....	2,400,000 00	April 8
The N. Y. C. & H. R. R. Co.....	Bonds.....	4,000,000 00	April 20
Greenwich & Johnsonville Railway Co.....	Bonds.....	20,000,000 00	April 20
The Lehigh & Hudson River Ry. Co.....	Bonds.....	400,000 00	May 7
Erie Railroad Company.....	Bonds.....	270,000 00	May 11
Boston & Albany Railroad Company.....	Bonds.....	1,000,000 00	June 1
Dodgeville & Salisbury Railway Co.....	Improvement bonds.....	7,000,000 00	June 1
The Delaware & Hudson Company.....	Stock.....	150,000 00	June 18
Orange County Traction Company.....	Bonds.....	10,800,000 00	July 7
Skaneateles Railroad Company.....	Notes.....	100,000 00	July 13
Rochester & Eastern Rapid Ry. Co.....	Bonds.....	100,000 00	July 21
Elmira, Corning & Waverly Railway.....	Stock.....	13,790,200 00	July 21
L. Sutherland, receiver of Yonkers R. R. Co.....	Bonds.....	634,000 00	App. denied
Frank Sullivan Smith, receiver of The P., S. & N. R. R. Co.....	Receiver's certificates.....	65,000 00	Sept. 1 ¹
Rochester Corning Elmira Traction Co.....	Receiver's certificates.....	20,000 00	Sept. 14
Buffalo, Lockport & Rochester Ry. Co.....	Notes.....	75,700 00	Sept. 14
Carthage & Copenhagen Railroad Co.....	Bonds.....	1,000,000 00	Sept. 22 ²
Newton Falls & Northern Railroad Co.....	Stock.....	380,000 00	Sept. 22
The Delaware & Hudson Company.....	Mortgage.....	200,000 00	Oct. 7
The Delaware & Hudson Company.....	Bonds.....	75,000 00	Oct. 14
	Stock.....	70,000 00	Nov. 9
	Bonds.....	230,000 00	Dec. 7
	Bonds.....	7,165,295 85	Dec. 7 ³

¹ Modified.² Supplemental order.³ Application for this amount denied.

TABLE showing applications under section 69 of the Public Service Commissions Law for permit to issue stocks, bonds, and other evidence of indebtedness by electrical corporations and gas corporations:

Name of corporation.	Nature of security.	Amount.	Date of permit, 1908
The Empire Electric Company.....	Stock.....	\$10,000	Jan. 21
Panama Power Company.....	Stock.....	4,000	Feb. 11
Utica Gas & Electric Company.....	Bonds ¹	200,000	Feb. 17
Elmira Water, Light & Railroad Company.....	Bonds.....	372,000	Mar. 9
Watertown Light & Power Company.....	Bonds.....	200,000	Mar. 10
Watertown Light & Power Company.....	Stock.....	102,500	Mar. 10
Great Bear Light & Power Company.....	Bonds.....	20,000	Mar. 10
Great Bear Light & Power Company.....	Stock.....	20,000	Mar. 10
Keyes Electric Company.....	Stock.....	4,000	Mar. 17
Keyes Electric Company.....	Mortgage.....	8,000	Mar. 17
Babylon Electric Light Company.....	Stock.....	30,000	Mar. 19
West Branch Light & Power Company.....	Bonds.....	5,000	April 1
Rochester Railway & Light Company.....	Bonds.....	1,637,000	April 29
Plattsburgh Light, Heat & Power Company.....	Bonds.....	250,000	April 29
Suffolk Light, Heat & Power Company.....	Bonds.....	15,000	May 7
Hornell Electric Company.....	Certificate of indebtedness.....	100,000	May 7
Goshen Light & Power Company.....	Bonds.....	15,000	May 7
The Akron Natural Gas Company.....	Bonds.....	60,000	May 13
Wells Island Light & Heat Company.....	Stock.....	8,000	June 3
Schaghticoke Electric Company.....	Bonds ²	1,750,000	June 27 ³
The Berlin Electric Light, Heat & Power Co.....	Stock.....	17,500	June 27
Lima-Honeoye Electric Light & Railroad Co.....	Stock.....	5,000	June 11
Canton Electric Light & Power Company.....	Bonds.....	16,000	July 2
S. T. Church, receiver of Albion Power Co.....	Receiver's certificates.....	20,000	July 23
Kingston Gas & Electric Company.....	Bonds.....	33,000	July 27
The Consumers Natural Gas Company.....	Bonds.....	85,000	Aug. 12
Williamsville Electric Light & Power Co.....	Stock.....	25,000	Aug. 12
Madison County Gas & Electric Company.....	Bonds.....	45,000	Aug. 19
Hudson River Water Power Company.....	Bonds.....	62,000	App. denied
Mexico Electric Company.....	Bonds.....	10,000	Sept. 14
The Cataract Power & Conduit Company.....	Bonds.....	120,000	Sept. 16
Citizens Electric Service Company of Bath.....	Stock.....	50,000	Sept. 16
Broadalbin Electric Light & Power Company.....	Bonds.....	50,000	Sept. 16
Newburgh Light, Heat & Power Company.....	Stock.....	42,500	Sept. 24
Watertown Lt. & Pr. Co. and Watertown Gas Light Co.....	Bonds.....	18,000	Sept. 24
Deposit Electric Company.....	Bonds.....	330,000	Oct. 7 ⁴
Rome Gas, Electric Light & Power Company.....	Merger stocks and bonds.....	.....	App. denied
Rockland Light & Power Company.....	Demand notes.....	6,500	Oct. 22
The Lehigh & Hudson River Railway Co.....	Bonds.....	10,000	Oct. 27
Tri-County Natural Gas Company.....	Bonds.....	500,000	Dec. 1 ²
Clear Creek Oil & Gas Company.....	Bonds.....	30,000	Dec. 1
Saugerties Gas Light Company.....	Stock.....	35,000	Dec. 2
Southern Dutchess Gas & Electric Company.....	Stock.....	15,000	Dec. 2
	Stock.....	18,000	Dec. 7
	Bonds.....	23,500	Dec. 18

¹ Confirming order of Commission of Gas and Electricity.

² Modified order.

³ Modified order of Dec. 18.

II. UNIFORM SYSTEMS OF ACCOUNTS FOR GAS, ELECTRICAL, AND STREET RAILROAD CORPORATIONS.

Intimately, and perhaps inseparably, connected with the subject of the capitalization of corporations under the supervision of the Commission, is the form of accounts kept by such corporations. The law subjects these corporations to regulation and control as to capitalization, service, and rates. No supervision over these matters can be efficient or just without full knowledge of the corporation's affairs. No complete understanding of such affairs can be attained without comparison with the like affairs of other corporations. Determinations as to rates and service necessarily involve considerations of cost. It is not practicable nor even possible to have intelligent investigation of the affairs of the large number of corporations subject to the provisions of the Public Service Commissions Law without uniformity in the accounts of the various classes of such corporations. In its work up to this time the Commission has been considerably embarrassed by the fact that the statistics available for its use have, in many cases, been useless because not based upon uniform systems of accounts. Thus the ratio of operating expense to total earnings from operation as usually given is of slight value in comparing results of different corporations, for the reason that there has not been a uniformity of practice in the charges made to operating expense. In our report for the year 1907 we said: "No statistics can be worthy of confidence unless based upon comparable units. This requires that the units with which statistical analysis has to deal shall, so far as practicable, be standardized, and that the accounts embodying such units or upon which such units are based shall be kept on uniform principles. The State in creating this Commission has wisely endowed it with power to formulate and establish uniform systems of accounts to be kept by the various classes of corporations and other persons within its jurisdiction. The work of formulation of such systems of accounts has been intrusted to the division of statistics and accounts and is now in progress."

The results of such work have been embodied in uniform systems of accounts for street railroad corporations, gas corporations, and electrical corporations. It has been found impracticable and unwise to require the same extent of detail in book-keeping in the

case of small corporations as is wise to exact from large ones. Accordingly, for each class of the corporations named there has been prescribed a complete scheme to be used by corporations having an annual revenue of \$500,000 or upwards from that class of its operations; a first condensed scheme to be used by corporations having a like annual revenue of \$100,000 or upwards but less than \$500,000; a second condensed scheme to be used by corporations having a like annual revenue of \$25,000 or upwards but less than \$100,000; and a third condensed scheme for gas corporations and electrical corporations having a like annual revenue of less than \$25,000. The subject is of such far reaching importance that an account of the progress of the work is deemed to be of permanent interest.

Attention is especially called to the fact that in the preparation of these systems of accounts the Commission has kept in constant touch with the corporations themselves, has invited and profited by constant comment and criticism, and has endeavored in every way to make the book-keeping it prescribes practical as well as theoretically correct.

The work of preparing these systems of accounts has been intrusted to William J. Meyers, statistician to the Commission, and to him should be awarded the credit of their technical excellence and perfection of form.

Under date of April 1, 1908, there was sent out to serve as a basis for discussion a tentative scheme of accounts for electrical corporations and gas corporations. This scheme attempted to cover the entire field of accounting for such corporations, and was not restricted to any particular subdivision. A conference upon this scheme was held at the office of the Public Service Commission for the First District, 154 Nassau St., New York city, on April 8th, in which there participated representatives of the two Commissions and members of the committees on accounting appointed by the National Electric Light Association, the American Gas Institute, and the Empire State Gas and Electric Association. As a step in the further discussion of the subject, this scheme was embodied in the report of the Committee on Accounting made to the National Electric Light Association at its annual meeting in Chicago, May 15th and subsequent days.

Along with the question of accounting for electrical corporations and gas corporations there had to be borne in mind the matter of accounts for street railroad corporations. Electrical corporations and street railroad corporations are in the present stage of the arts very closely related. Because of this close relationship, and because of the necessity for basing the accounts for all public service corporations upon the same fundamental principles, it was considered advisable not to crystallize the scheme for any one class of corporations in advance of a general settlement of the scheme for other classes. The question of accounting for street and interurban railroad corporations brought up for consideration a problem whose field is national. Some of these corporations subject to the supervision of this Commission are engaged in interstate commerce and are thus within the jurisdiction of the Interstate Commerce Commission. The Commission had already entered upon and partially completed the formulation of a uniform system of accounts for steam railroad corporations and was naturally desirous that, so far as practicable, there should be uniformity between the schemes of accounts for the two classes of railroad corporations. It thus came about that the completion of the schemes of accounts for electrical corporations and gas corporations was made to await the development of that for street railroad corporations.

The question of accounting for street railroad corporations had been under active consideration by the Public Service Commissions as well as by the Interstate Commerce Commission since September, 1907. Various conferences between representatives of these commissions and representatives of street railroad corporations and associations had been held from time to time at Albany, Buffalo, New York city, and Washington, D. C., as an outcome of which a scheme of accounts for fixed capital, one for operating revenues, and one for operating expenses of street and interurban electric railroad corporations was agreed upon at a conference held at the offices of the Interstate Commerce Commission in Washington, D. C., May 12th and 13th. In this conference participation was had by representatives of the Public Service Commissions of this State, of the Interstate Commerce Commission, of the Street Railway Association of the State of New York, of the

National Association of Street Railway Accountants, and of the National Street Railway Association. At this conference a committee was appointed to formulate the details of the accounts, and this committee composed principally of street railway managers and accounting officers and including a representative of the Interstate Commerce Commission met at Atlantic City, N. J., May 18th, and on that and subsequent days formulated the details of the several accounts. These details were accepted substantially without change.

Upon receipt of the report of the Atlantic City conference, the annual meeting of the National Electric Light Association having in the meantime been held, the work of settling upon a scheme of accounts for electrical corporations and gas corporations was again taken up. The chiefs of the divisions of statistics and accounts in the Public Service Commissions prepared and issued under date of June 5th a proposed uniform system of accounts for electrical corporations, and under date of June 8th a proposed uniform system of accounts for gas corporations. Copies of these were placed in the hands of their respective classes of these corporations throughout the State for consideration and criticism, and on June 24th a joint hearing was held by the Public Service Commissions at the offices of the Commission for the First District, the forenoon being given to the electrical corporations and the afternoon to the gas corporations.

Under date of July 6th, a proposed uniform system of accounts for street and interurban electric railroad corporations, which had been prepared by the chiefs of the divisions of statistics and accounts of the Public Service Commissions, was issued to the street and interurban electric railroad corporations of the State. This was based upon the result of the before mentioned conferences upon this subject. A joint hearing upon the subject was held by the two Commissions at Albany on August 4th, at which representatives of the principal corporations and of many of the minor ones appeared and presented their views. On August 20th, in New York city, a further conference was had upon this subject between representatives of the two Commissions and those of the principal street railway corporations of the First District and of the traction companies of the New York Central and the Pennsyl-

vania systems; and on September 10th a final one was had between representatives of the two Commissions and of the Interstate Commerce Commission.

Upon the completion of the various hearings and conferences above mentioned, the embodiment of the various schemes of accounts in formal orders of the Commissions was undertaken and completed, as follows:

	Complete Scheme.	1st Cond. Scheme.	2d Cond. Scheme.	3d Cond. Scheme.
Street Railroad Corporations.....	Sept. 22	Nov. 10	Dec. 2	¹
Electrical Corporations	Oct. 21	Dec. 1	Dec. 16	Dec. 18
Gas Corporations	Oct. 21	Dec. 7	Dec. 16	Dec. 18

¹None prepared or contemplated.

Throughout these various schemes of accounts, uniformity has been sought for wherever it seemed to be practicable to obtain it. It has been recognized, however, that to attempt to secure uniformity of accounting where uniformity of fact does not exist, is to abandon the substance for the form, and there has been no attempt to push uniformity to such lengths as to secure merely specious results. For a full statement of the extent to which uniformity has been secured, reference is made to the several accounting orders. It is sufficient here to say that each scheme recognizes the division of capital into fixed capital and floating capital; that in fixed capital, wherever different classes of corporations have similar classes of fixed capital, similar accounts have been prescribed in respect thereof; that floating capital is subdivided into materials and supplies on the one hand and current assets on the other, and that like accounts for current assets have been prescribed; as have like accounts for investments, pre-payments, suspense, and other matters usually appearing on the debit side of the balance sheet; and for funded debt, unfunded debt, reserves, and other matters usually appearing on the credit side of the balance sheet. With regard to the income accounts, it has not been practicable to push uniformity with regard to the operating accounts much beyond the principal divisions of revenues and expenses. With regard to non-operating revenues, non-operating revenue deductions, income deductions, and appropriations, substantial uniformity has been practicable and has been provided for in the accounting orders.

The various condensed schemes of accounts have been provided to meet the needs of smaller corporations. These corporations are less highly organized than the larger corporations, and the minuteness of classification of labor which is practicable in the larger is impracticable in the smaller. Furthermore, the managers of the smaller corporations are in more immediate contact with the detailed affairs of the corporation, and for that reason do not need the minuteness of accounting that is imperative in the larger concerns. This condensation has seemed practicable only in the various income accounts. The capital accounts are accounts that continue during the life of the corporation, and it is much more essential that the same scheme of accounts be continued throughout the corporation's entire history. The income accounts are closed annually, and a radical change in them produces little other inconvenience than to prevent comparisons with accounts of prior years. If the change is confined to a further subdivision of those of prior years, not even this inconvenience results. On the other hand, a change in capital accounts involves matters covering a very considerable period of time and the record of which is frequently too incomplete to permit re-classification. Growth is the normal course of affairs for a well organized, well managed public service corporation in a healthy and thriving community, and this fact, coupled with the well founded conviction that there is necessarily a much more accurate accounting for capital than has prevailed in the past, has led to the provision of a single scheme of capital accounts for corporations of all grades in a particular class. The grading of corporations for purposes of accounting has been tentatively based on gross revenues from the several classes of operations: corporations whose gross annual revenues from any class of operations equal or exceed \$500,000 being placed in grade A; the next dividing line is placed at \$100,000, and the next at \$25,000. It is probable that it will be found necessary to establish a still lower grade.

III. FORMS OF ANNUAL REPORTS.

The matter of reports to be required of public service corporations is intimately connected with that of the system of accounts to be kept by such corporations. The classification of the receipts

and disbursements of such corporations for the purpose of making a report is in itself a drawing up of a series of accounts. Where this classification is materially different in character from the classification embodied in the accounts currently kept upon its books by a corporation, it entails a considerable amount of labor, and involves not only an appreciable expense but frequently very objectionable delays in compiling and rendering the reports. Many times, also, it is made without the care which is essential to accuracy, and the Commission or other body to whom the report is made is thus confronted with the alternative of accepting a materially defective report or spending much time and money in attempting to secure a correct statement of the facts. The scheme of accounts and the scheme of reports are thus very closely connected, and the annual reports can not be brought to show the situation fully and clearly until the scheme of accounts on which they depend has been brought into satisfactory form. Despite this fact, the Commission was of the opinion that it was necessary to wait for the installation of the new schemes of accounts before materially extending the scope of the annual reports. An annual report of a corporation ought to furnish such information as should be filed regularly, not only for the information of the Commission intrusted with the administration of such a law as the Public Service Commissions Law, but also for that of the investors furnishing the capital essential to the operations of the corporations, and for that of the much larger body of consumers for the satisfaction of whose needs the corporation exists and from whom are derived the revenues by which the corporation is supported. Much of this information is not given when the report is confined to a summary statement of receipts and expenditures. It is also necessary to know who are the individuals whose identity is frequently hidden behind the legal entity or fiction of the corporation; cases have occurred in times past where by hiding behind various corporate cloaks, individuals have been able to enrich themselves without rendering a fair return for the revenue from the public. Many are familiar with the practice of corporations, to go into relationships, and

The construction company and the instances of such devices. For advisable, in the annual report somewhat fully into the matter.

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to ascertain what corporations are related through being controlled one by the other or both by a third.

Another thing that has not needed to wait for a more complete establishment of a uniform system of accounts is the matter of new capital installed in service and old capital withdrawn from service. A much more complete return in this regard has been called for in the reports required of carriers for the period subsequent to June 30, 1907, than theretofore. It is hoped to develop this matter until there shall be on file with this Commission a fairly complete exhibit of the changes occurring from time to time in the actual capital employed by public service corporations in rendering services to the public, to receive which the public has endowed them with corporate existence and privileges.

While these extensions of the scope of the annual reports necessarily make their preparation somewhat more expensive, the Commission is of the opinion that the greater economy and efficiency of administration which it expects to result from them will more than compensate for the additional expense.

IV. RAILROAD TARIFFS AND RATE DISCRIMINATIONS.

The prime purpose of the Public Service Commissions Law in requiring that rate schedules shall be filed with the Commission and published at stations, be observed invariably by carriers and shippers or passengers, and not be changed except upon public notice for a specified number of days, is to prevent unjust discrimination in railroad transportation charges. Incidentally, these schedules or tariffs are of great assistance for purposes of comparison in cases involving the reasonableness of rates, as showing in record form the rate history and the rates charged to other shippers or for other services. The great function of published and enforced rate tariffs, however, is effectually to remove and prevent all those damaging rate abuses which in the form of rebate or private rates resulted from favor, compulsion, or special bargain, and in all practical respects made of public transportation service a private business. The history of these rate abuses spread upon many public records of the State and Nation, and set forth in the press and valuable private writings, constitutes a long tale of prosperity and ruin, progress and stagnation, for individuals

and places, according as they were fortunate or unfortunate in their railroad traffic and rate relations.

These intolerable conditions no longer exist. The radical amendment of regulating statutes and the energetic enforcement of such statutes respecting tariff rates, backed by crystallized public opinion and supported by present universal obedience among carriers, have resulted in eradicating substantially all secret or special rate abuses produced through collusion or design.

It may be said confidently that all carriers in this State are now earnestly and sincerely in favor of the enforcement of the law against wilful rate discriminations and that they are strongly supporting the Commissions and the general public in preventing any indulgence in practices of that description. This applies to the free pass or special reduced fare, as well as to the rebate, the collusively issued midnight tariff, or the special rate order. The gain in earnings to carriers by enforcement of the tariff charges on all passenger and freight business can not be figured or approximately estimated, but that it is very large will not be denied.

Actual enforcement of tariff rates has also operated to diminish the inducements to unnecessarily reduce the tariff charges themselves. Secret rate cutting by a competing carrier or between competing carriers frequently resulted in reduction of the open rate. When the carriers reached the point of exhaustion in rate cutting, or were otherwise compelled by circumstances to restore normal rate conditions, it was frequently impracticable to go back to the full tariff rate as it had existed, and in consequence the tariff rate would be substantially and sometimes greatly reduced. Later, the tariff might be largely increased. These fluctuating rate conditions caused by secret rebating, tariff reductions, tariff increases, and again secret rebating, and so on, were of course utterly destructive of permanency in rate relations as affecting competing shippers, individuals, and localities. There were constantly rate variations, sacrifices of legitimate transportation revenue, damaging discriminations of every degree, and general unrest among shippers and carriers.

So much for past intolerable transportation conditions and the remedy which has been effectually applied. While rate discriminations as the result of wilful intention or collusion between ship-

per and carrier have been eliminated as practices, there remains a class of burdensome rate conditions connected with the enforcement of railroad tariff rates which, though they do not operate to diminish or increase railroad revenues, have the effect of extortion upon shippers. These conditions, which will be described further on, are the more deplorable since they result from imperfect compliance with simple requirements of the law.

The law requires that the schedules or tariffs shall contain all of the carrier's rates plainly set forth, and all regulations affecting rates or the value of the service; that such schedules shall be filed with the Commission, and two copies kept posted at each station where passengers or freight are received for transportation, in such manner as to be readily accessible to and be conveniently inspected by the public. The rates may not be changed except upon thirty days' notice to the Commission and the public. The law also requires both shipper and carrier to observe and apply the rates so published without any exception whatsoever. It follows, and has been so held by the courts, that where a rate has been lawfully published at stations and filed with the Commission, the carrier must charge and the shipper must pay that rate. In other words: that no shipper shall have a preference in rates over another; the carrier must first establish the rate in the manner described; and thereafter the shipper, having the tariff open to his convenient inspection at the shipping station, and presumably having consulted it with understanding, must pay in every instance the rate so established. This simple provision for fair treatment as between shippers is undoubtedly the best that the law can afford. But such provision is based upon the previous proper performance by the carrier of its statutory obligation to prepare a plain and easily understood tariff and to keep it posted at each station from which the tariff applies, to change that tariff in such way that the contents of the tariff and supplement or supplements shall still be plainly stated and easily understood, and to maintain the station tariff files in such manner that the purpose of the law in holding shippers to the tariff rate shall be effected with ease and certainty and without resulting hardship to any commercial interest. Now, as a matter of fact, this obligation by carriers has not been well performed, and in many instances it has been very poorly performed.

As to the first part of the obligation, the preparation of a plain and easily understood tariff and supplements, the Commission has prescribed forms of tariffs; but this so far has been based upon the methods of tariff construction in use. It must be confessed that, while great improvement in tariff construction has been reached, many, perhaps the majority, of these rate schedules are far from simple and are not easily understood. This is certainly true to the extent that shippers generally feel impelled to ask the agent at the station to name the rate, and that this practice still prevails to the exclusion of inspection of the tariffs by the great mass of shippers themselves. The Commission feels bound to go much deeper into the details of tariff construction, with a view to securing greater simplicity both in the original tariffs and in further issues amending such tariffs, and has, in addition to the standing committee on tariffs heretofore appointed by the principal lines to attend conference with the Commission, secured the appointment of an additional committee composed of railroad officers actually engaged in constructing tariffs. The Commission intends to go very thoroughly into this subject during the coming year.

The second part of the carrier's obligation, relating to the maintenance of proper tariff files at stations, is being vigorously investigated. The carriers have been called upon to answer questions drafted to elicit full information as to their methods of keeping, maintaining, and using these tariff files, and upon the information so obtained the Commission will call a conference, and thereafter issue such regulations as may be necessary.

If these reforms in tariff construction and keeping station tariff files are not effectively carried out, the following described existing conditions, with all the possibilities of damage or loss to shippers, will continue to exist:

Assume that the shipper understands that the tariff rate governs, and that he goes to the station and undertakes to inspect the freight tariffs for the purpose of ascertaining the rate on his commodity from that station A to station B. As the tariffs are now constructed he is liable to find himself unable to determine what the rate really is, even though the tariffs are properly arranged in the station files. So he does the inevitable thing: he says to the agent, "What is the rate on this commodity from here to B?"

The agent does one of two things: he either feels satisfied that he knows the rate and states it, or he does just what he did before the law was passed, he wires the division freight office. The result is that the shipper acts upon the rate thus quoted. He not only ships under that rate, but sells the shipment to the consignee upon that rate. If the rate so quoted to the shipper is the tariff rate, the law is complied with, the shipper is fully secured, and he suffers no loss and acquires no advantage. But it often happens that the agent in examining the tariffs uses the wrong rate, or omits to take note of some language constituting an exception to its application, or the tariff naming the legal rate has been misplaced in his file, or he has neglected to file it at all, or that particular tariff has never been secured by him. It also sometimes happens that when the agent is cautious and asks for the rate of the division freight agent, the wrong rate is even then quoted. When the shipment arrives at destination the wrong rate may be corrected at that time, especially if less than the tariff charges, but it frequently occurs that the fact of an illegal rate having been applied is not discovered until the billing is checked by the auditor at the carrier's general office. In either case, if less than the tariff rate has been applied, demand is made for the excess, and in such instances the shipper has been required to stand the loss. Sometimes such demand is made weeks or months after the shipment has been delivered. A number of cases of this kind have been brought to the attention of the Commission during the year, and many others have doubtless arisen. They indicate, of course, a serious condition, which must be remedied as soon as possible by actual and invariable performance of the carrier's obligation to put simply constructed tariffs in effect, and to keep these tariffs in an orderly and intelligent manner in each of its station files in the charge of agents instructed properly and from time to time tested for competency in this respect. While the shipper is impliedly held to know the rate in a tariff posted at a shipping station, there is much to be said as to the liability of the carrier when it, through its agents, bills traffic out at other than the published charge.

In closing this part of the report the Commission again calls attention to the effective aid afforded to shippers in keeping track

of changes of rates by the Commission's weekly bulletin showing all rate changes, which is free at the office of the Commission in Albany and will be mailed upon receipt of postage.

V. FREIGHT RATES.

The formal action of the Commission in the regulation of freight rates during the year is shown by the several orders issued in cases involving such rates, which orders are set forth in the appendix. The results of regulation through the handling of informal complaints are also stated in the appendix. While no case involving any great body of rates on freight articles has been brought to hearing and submission, various commodity rates and some switching and weighing charges have been ordered reduced, and a large number of freight rates have been changed as the result of the procedure before the Commission provided in the law. Some of these involved revision and reduction of freight rates throughout a wide territory. Numerous cases which could not be settled informally have been disposed of through concession of the demanded relief by respondent carriers upon the filing of formal complaint. Through the coöperation of carriers in handling many complaints informally, prompt remedy has been afforded in a large number of cases without the necessity of hearing and determination.

During the year there have been no general advances of freight rates applying within this State, notwithstanding considerable advances have been made on interstate shipments in various parts of the country. The tariffs filed show, on the contrary, that the great majority of the freight rate changes in this State have been reductions from tariff rates previously in force. It may be said generally of freight rates in this State that a process of revision and readjustment has been constantly progressing since the taking effect of the Public Service Commissions Law, July 1, 1907, and that this is fast producing a fairly stable adjustment of rates and rate relations which is greatly to be desired.

While not strictly a matter of rates, a system established by the principal railroad carriers respecting the marking of freight during the year so operated to affect the cost of transportation on numerous low grade freights as to render it a proper subject for

treatment under that heading. The carriers changed a regulation in the official classification so as to require every separate piece of freight to be marked with the name and address of the consignee. The result was that shippers of drain tile, bar iron, brick, flour in sacks, and many other articles, immediately complained of the hardship and increased cost, and as to some shipments it plainly appeared that the cost of marking exceeded the profit on the shipments. Investigation was promptly ordered and had, and a new regulation fair to carrier and shipper was prepared by the Commission and directed to be substituted for the one found burdensome and unjust. This order was immediately complied with by all carriers within this State.

During the year the Commission has established a procedure in relation to reparation by carriers for unreasonable and unjust freight charges. This procedure is best described in circular No. 40, which was issued August 12, 1908, and reads as follows:

"To All Railroad Corporations:

"The Commission, having under consideration the subject of reparation to injured parties on account of transportation charges in violation of the Public Service Commissions Law, has, by resolution adopted August 12, 1908, ruled as follows:

"1. That as to transportation of freight or passengers between July 1, 1907 (the date when the Public Service Commissions Law became effective), and November 1, 1907 (the date when by section 33 of that law common carriers were required to have on file with the Commission and published at stations schedules of rates upon all traffic they undertake to carry), and as to which no schedule showing the transportation charge thereon had been filed with the Commission, the carriers were and are empowered to make such reparation by way of correction of charges exacted as they were or are advised to be just and reasonable, and that they were and are entitled to make such reparation without applying for authorization by this Commission.

"2. That this Commission has power, under the provisions of the Public Service Commissions Law, to determine that shippers or passengers have been injured by the exaction on the part of carriers of filed and published schedule rates or fares shown to be unreasonable, unjust, wrongly discriminating, or unduly prejudicial, find the amount thereof in excess of the rates or fares shown to be reasonable and just and otherwise lawful, and declare that such injured shippers or passengers are entitled to recover from the carriers the amount of such excess above reasonable, just, and lawful rates or fares in each case.

"3. That when claim for reparation and the reply of the carrier show the exaction of a particular charge, which the carrier admits to have been excessive by promptly canceling such charge in its published tariff or schedule and establishing instead thereof a reduced charge, and by a statement in

writing further agrees to refund the excessive charge above the new rate or fare so put in force, the Commission will treat the claim of the shipper or passenger and the reply of the carrier as complaint and answer, with admission of liability and waiver of hearing on the part of the carrier; and if it appears to the Commission that the parties are acting in good faith, and that under all the circumstances compliance with the statute requires that the reparation should be made, an order to that effect will be entered and served."

Since the promulgation of that circular, numerous orders allowing reparation for unlawful charges have been issued, all of them upon admission by the carriers that the rates charged were excessive and should not have exceeded the rates subsequently established by them. The amounts involved are usually small, and result from the application of charges which plainly should have been reduced before the shipments were made. One of these orders, however, awarded reparation to an amount exceeding \$4000.

VI. PASSENGER TRAIN DELAYS.

In its annual report for the year 1907 the Commission gave some attention to the subject of passenger train service. Some sharp criticism was made upon instances of service occurring in this State. Sufficient data had not been collected at that time to warrant very many general conclusions. It ventured, however, to express two opinions, which subsequent experience has demonstrated to have been well founded: First, that some portion of the delays of passenger trains arise from administrative inefficiency; and second, that railroad corporations had been sadly derelict in many cases in keeping the motive power in proper repair.

The very great importance to the people of the State of having passenger trains on time has led the Commission to believe that a prolonged and serious inquiry into the causes of such delays was the only efficient method of remedying the evils which concededly existed. Detailed information of value could only be obtained from the records of the railroad companies. To secure this information the Commission prepared a form of report, No. 83, and on March 16th transmitted such report, together with circular No. 34, to all steam railroad corporations, calling their attention in the circular to the powers of the Commission under sections 45, 50, and 51 of the Public Service Commissions Law.

Passenger train movement report No. 83 requires the following information from steam railroads for each scheduled passenger train: 1, train number; 2, kind of train (limited, local, or mail train); 3, number of days train run on time; 4, number and duration of delays; 5, total number of delays this month this year, and the corresponding month last year; 6, duration of delay in minutes due to the following principal causes of delay: (a) engine failures; (b) failure of other equipment; (c) wrecks; (d) track; (e) connections of reporting railroad; (f) waiting for connections from other railroads; (g) meeting and passing trains; (h) signals; (i) trains ahead; (j) waiting for orders; (k) stations; (l) fogs or storms; 7, total time delayed this month this year, and for the corresponding month last year.

The following directions for reporting delayed trains are in use in connection with passenger train movement report No. 83:

1. Trains not exceeding five minutes late at division terminal or at end of train run shall, for purposes of this report, be considered on time.

2. The delays called for are all delays resulting in late arrival at division terminal or at end of train run.

3. Under "Engine Failures" include all delays due to defects or failures of locomotives, or to poor fuel, bad water, or incompetent enginemen, which result in late arrival at division terminal or at end of train run.

4. Under "Division" and "Train numbers" are reported divisions over which trains are run in consecutive order. The detentions shown by this report are not only the detentions at the end of train run but at each of the division terminals. Under "Track" are included all delays caused by repairs to track, repairs or renewals of bridges or any other track structures, unsafe track, washouts, slides, open drawbridges, etc.

5. Under "This Road's Connections" are included all delays caused by waiting for trains on other divisions and branches of the reporting railroad.

6. Under "Other Roads' Connections" are included all delays caused by waiting for trains on connecting railroads or by running over the tracks of other railroads.

7. Under "Signals" are included all delays caused by mechanical or electric failure of semaphore or other signal, interlocking

plants, or any apparatus or mechanism connected with a signal, operators asleep or absent from duty, absence of permission to clear signals, etc.

8. Under "Station" are included all delays caused by switching, loading or unloading of passengers, baggage, or express, blockades at terminals, etc.

9. It is required that this report shall be filed at the office of this Commission within thirty days after the end of the month for which the report is compiled.

A report is required from each railroad corporation monthly. When a complete file of reports from all roads is obtained each month, a passenger train delay bulletin is published, giving the following information: 1, total number of trains run; 2, number of trains on time; 3, per cent. of trains on time; 4, number of trains late; 5, per cent. of trains late; 6, average minutes late per train run; 7, percentage of delay resulting from the following causes: (a) engine failure; (b) equipment failure; (c) wrecks; (d) condition of track; (e) waiting, other divisions; (f) waiting, other railroads; (g) meeting and passing trains; (h) signals; (i) trains ahead; (j) waiting for orders; (k) stations; (l) storms.

The first report of passenger train delays was filed for the month of April, and to date reports have been filed for seven months.

Passenger train delays are properly divisible into two general classes: First, those which are under the control or preventable by the company; and second, those which arise from causes beyond the control of the company. Delays arising from such causes as fogs, storms, washouts, and landslides belong to the latter class, and as to those, as a rule, the company can be charged with no responsibility. Some exception may be made, possibly, in cases of washouts and landslides, where the company had not properly protected against the same. Weather conditions in winter are much more unfavorable for proper operation than in summer. Those conditions, of course, are beyond the control of the company.

The causes of train delays under the control of a company may be divided into two classes: primary and secondary. The principal primary causes under the control of the company are as follows:

1, engine failures; 2, failures of other equipment; 3, wrecks; 4, track conditions; 5, meeting and passing trains; 6, signals of all kinds; 7, trains ahead; 8, waiting for orders; 9, station work. The principal secondary causes of delay are: 1, waiting for connections with trains on its own lines; 2, waiting for connections with trains on other lines.

The object of the Commission in requiring these reports is to enable it by means of close study of the primary causes of preventable delay to require the companies subject to its supervision to remove these causes so far as practicable. It is also just to the companies that the extent of delays arising from causes not under their control should be made known and unjust censure and criticism thereby avoided.

The following general results of these train reports for the seven months for which they have been received are of considerable interest, although a detailed analysis is required to make them of working value: Average number of trains reported each month, 58,200; percentage of trains on time at division terminal, 82; percentage of trains late at division terminal, 18; average delay in minutes for each late train, 24.3; average delay in minutes for each train run, 4.5. The causes of delay indicated by these reports for all passenger trains are as follows: engine failure, 7 per cent.; wrecks, 6 per cent.; unfavorable track conditions, 3 per cent.; train work at stations, 15 per cent.; waiting for trains from other divisions and branches of the same road, 39 per cent.; waiting for train connections from other roads, 11 per cent.

It should be noted that 50 per cent. of the delays reported are occasioned by waiting for train connections, a purely secondary cause; the primary cause arising from other sources. The principal primary cause is, as was stated in the report of the Commission for 1907, engine failures. That these engine failures are largely preventable is clearly demonstrated by the results attained upon the principal lines operating in this State. The following shows the number of miles run by passenger locomotives for each engine failure occurring upon the line for the four months of July, August, September, and October. These lines are the ones having the greatest mileage within the State, and the comparison between them seems to be perfectly fair and just to be made:

The Delaware, Lackawanna & Western Railroad.....	14,126
Buffalo, Rochester & Pittsburgh Railway.....	12,618
The Pennsylvania Railroad	9,474
The New York Central & Hudson River Railroad.....	8,054
Lehigh Valley Railroad.....	7,884
The Delaware & Hudson.....	7,588
Erie Railroad	5,369
New York, Ontario & Western Railway.....	2,492

The Commission has not yet been informed of any good reason why it is not entirely practicable to give as good service in this particular upon one road as upon another. That many of these delays might be easily remedied is disclosed by investigations regarding engine failures undertaken with reference to all classes of service and on all lines of roads. Eighteen per cent. of all engine failures on all roads and in all classes of service, for the past year, were caused by leaking of steam, and 10 per cent. of all such failures for the same period were caused by low steam pressure. It appears to be clear from the analysis of reports received that sufficient attention to engine repairs and operation would result in the prevention of a majority of the engine failures reported.

The foregoing figures are important as showing the necessity for additional equipment inspection, as recommended in another place. Such inspection is one of the practical ways in which the Commission hopes to be able to bring passenger train service up to a proper standard. On many of the steam railroads in this State such standard is far from being attained, and apparently the coercive powers of the Commission must be exercised to reach even an approximation to such standard. Under the pressure of measures instituted by the Commission the service has greatly improved during the past year. No exact statement of improvement can be given until reports for the second year are available, since it is only by minute and detailed comparison that we are able to judge accurately of these matters. The Commission, however, is gratified to be able to state that the improvement is so marked in many localities as to excite public commendation. It is known that railroad officials who are responsible for the movement of passenger trains are comparing records with those of previous periods, and are endeavoring to have passenger train movements each month at least as efficient as for previous months. It has also

been noted that on some of the larger railroads a spirit of competition exists between the operating officials of different companies, no operating official wishing to have the poorest record. It is but fair that where improvement is noticeable in passenger train service, note of it should be made. The supervisor of equipment reports such improvement in the following railroads: Boston & Albany; the Harlem, Putnam, and Buffalo divisions of the New York Central & Hudson River; Central New England; New York, Buffalo, and Rochester divisions of the Erie; New York, Chicago & St. Louis; New York, Ontario & Western; Delaware & Eastern; Buffalo, Attica & Arcade; and the Buffalo division of the Pennsylvania.

It will be noted that 15 per cent. of the passenger train delays arise from train work at stations. This train work is largely the handling of milk and of express matter. Upon many roads it is unavoidable that milk and express matter should be handled by passenger trains. In such cases there is but little to be said except that the operating officials should make their running schedules coincide as nearly as possible with the actual time required. Experience should demonstrate how this is to be done. There are also in various portions of the State trains which were primarily put upon the road for the handling of such matter, and which for the purpose of giving additional accommodation to the public are now being used for the carrying of passengers, the traffic being insufficient to support trains devoted purely to passenger service. In such cases as these it is not perceived how the service can be materially bettered. That as a whole the passenger service can be materially improved by eliminating a large portion of the uncalled for engine failures, the Commission entertains no doubt.

VII. LOCOMOTIVE ENGINE FAILURES.

As shown by its report for 1907, this Commission has been of the opinion that to a great degree the lack of efficiency on the part of steam railroads was due to the improper condition of the locomotive equipment. Acting upon this opinion, it appointed a supervisor of equipment, whose attention has been given very largely to the condition of locomotive engines operating in this State. After frequent conferences with the mechanical depart-

ments of various railroads and its engineering staff, the Commission decided that the condition of equipment was fairly reflected in the number of failures of equipment. Acting upon this, engine failure report No. 70 was prepared, and on January 27, 1908, this report, together with circular No. 33 relative thereto, was transmitted to all steam railroads. The first report of engine failures was filed for the month of January, 1908. As reports are not completely filed until thirty days after the expiration of the month, information for the first month was not available until February, 1908. To date, reports have been filed complete for ten months. A concise account of the matters required by this report is deemed important.

Engine failure report No. 70 requires the following information from steam railroads for all failures which cause a delay of five minutes to a passenger train or twenty minutes to a freight train. The causes of failures are placed under five general headings, as follows: 1, heating; 2, steam; 3, leaking; 4, broken; 5, miscellaneous. These general headings are subdivided into fifty-nine detailed causes of failures. For instance, the general heading "heating" is subdivided into four detailed causes of failure: namely, (1) hot driving boxes; (2) hot truck boxes; (3) hot tender boxes; (4) all other hot bearings.

The following information is also required: 1, total number of failures; 2, total number of failures for corresponding period in previous year; 3, total number of failures previous month; 4, total engine-miles run; 5, engine-miles run per failure; 6, miles run per minute of detention; 7, total detention; 8, total detention corresponding period previous year; 9, total detention previous month; 10, minutes detention per failure.

The foregoing information is required in detail for all divisions of each railroad.

The following directions for reporting engine failures are in use in connection with engine failure report No. 70:

1. It is required that this report shall be filed at the office of this Commission within thirty days after the end of the month for which the report is compiled.

2. All failures not otherwise specified are to be reported under proper heading in column marked "Other Bearings, Other Causes, etc."

3. Under "Terminal" are to be reported all failures account of ash pits, etc., which result in train delays.

4. "Freight Failures" are to include switch, pusher, and work-train engine failures.

5. Under "Detention" are to be reported all detentions to all trains as the result of an engine failure. For example, an engine failure may delay three trains: one fifteen minutes, one ten minutes, and one five minutes. The total train detention as the result of this one failure would be thirty minutes.

The following is the ruling of this Commission as to the definition of the term "engine failure": All defects or failures of the locomotive, including those due to poor fuel, bad water, or incompetent enginemen, which result in a detention of over five minutes to a passenger train or twenty minutes to a freight train, at an initial terminal, or arriving at a meeting point, a junction point, or a terminal, shall be reported as an engine failure on this report.

An analysis of the alleged causes of failure for the ten months that reports have been filed indicates that leaking steam connections and parts of boilers caused 18 per cent. of all failures; low steam pressure caused by poor coal, poor firing, and flues stopped up, caused 10 per cent. of all failures; hot bearings caused 12 per cent. of all failures; broken parts of machinery caused 18 per cent. of all failures; defective air brake apparatus caused 10 per cent. of all failures; loose bolts and nuts caused 5 per cent. of all failures; miscellaneous causes, such as grates, front end arrangement, steam heat, blowers, water scoops, injectors, lubricators, whistles, sanders, check valves, and safety valves, caused 27 per cent. of all failures.

The following table shows the average number of miles run per engine failure, and the average miles run per minute of detention caused by engine failures, on railroads operating largest mileage in this Second District for the ten months ended October 31, 1908:

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RAILROADS.	MILES RUN PER FAILURE.		MILES RUN PER MINUTE OF DETENTION.	
	Passenger trains.	All classes of trains.	Passenger trains.	All classes of trains.
Buffalo, Rochester & Pittsburgh.....	6,161	7,242	350	340
Delaware & Hudson.....	6,185	6,026	238	71
Delaware, Lackawanna & Western.....	11,995	16,772	471	282
Erie.....	3,458	3,240	127	43
Lehigh Valley.....	6,548	7,947	240	140
New York Central & Hudson River.....	6,697	7,799	243	99
New York, Ontario & Western.....	2,850	3,245	194	70
Pennsylvania.....	6,855	9,045	258	136

The following table shows the principal causes and per cent. of failures on railroads operating largest mileage in this Second District for the ten months ended October 31, 1908:

RAILROADS.	Heating, per cent.	Steam, per cent.	Leaking, per cent.	Broken machinery, per cent.	Miscellaneous, per cent.	Average delay per failure, minutes.
Buffalo, Rochester & Pittsburgh.	.17	.6	.7	.22	.52	77
Delaware & Hudson.....	.10	.16	.7	.32	.35	86
Delaware, Lackawanna & Western.....	.10	.18	.6	.27	.39	57
Erie.....	.14	.14	.21	.16	.35	77
Lehigh Valley.....	.12	.15	.32	.18	.23	60
New York Central & Hudson River.....	.14	.14	.27	.15	.30	78
New York, Ontario & Western..	.7	.20	.8	.18	.47	65
Pennsylvania.....	.13	.18	.13	.20	.36	76

Further analysis of these reports indicates that each month an average of 10,000,000 engine-miles are run. Approximately 1800 engine failures occur each month, creating a delay of all classes of service of 1920 hours, or an average delay per failure of 1 hour and 4 minutes. The largest number of failures, 3301, occurred in the month of February. The smallest number, 1020, occurred in June, 1908. These facts show clearly that the winter season requires rigid inspection and a high class of maintenance of equipment if dangerous failures and excessive delays are to be eliminated.

Prior to January 1, 1908, the majority of the steam railroad corporations kept no record of engine failures. Some corporations which did have such a record kept the same in such condition that it was not readily accessible. The result was that in many instances an epidemic of a particular class of engine failures would

occur before any mechanical department official began to apply a remedy. With the introduction of the present system of reports, the matter of engine failure is kept constantly in mind by all operating officials. Such officials have information in a comparative form which they did not, in many instances, previously have. The result is that from the general manager down to the engine-house foreman there is an effort being made to eliminate such failures. With the present compulsory reports, the mechanical superintendent endeavors to locate individual responsibility. All engine failures are investigated and it is ascertained if failure resulted from improper design or poor workmanship, and when the cause is ascertained an improvement is effected.

The reports on file indicate that a considerable improvement has been effected on the following railroads: Boston & Albany; Buffalo, Rochester & Pittsburgh; Delaware & Hudson; Delaware, Lackawanna & Western; Delaware & Eastern, Lake Shore & Michigan Southern, and Pennsylvania.

The compulsory keeping of records of engine failures and the filing of the same with this Commission have resulted in considerable effort on the part of the mechanical department officials of railroad corporations to improve the general condition of equipment. This attempt during the year 1908 has been made under somewhat adverse conditions, caused by inadequate repair facilities and a policy of retrenchment which has been in force on many railroads, in many instances equaling 33 per cent. reduction in repair shop staffs. At many places the shops, engine houses, and repair facilities are inadequate, and the ultimate result of this inadequacy is failure of equipment.

The tremendously significant result from these reports is that fully 75 per cent. of all engine failures reported could have been avoided by proper inspection and maintenance of machinery with adequate engine houses and shop facilities for making inspection and repairs. The elimination of this percentage of engine failures, in both freight and passenger business, is of the highest importance. The lack of a proper degree of efficiency in transportation largely arises from these engine failures. The Commission, in the light of the knowledge which is required by these reports, hopes to be able to improve conditions very materially during the

ensuing year. A systematic disclosure of the causes of inefficiency, failures, and delays, is the surest way to remedy the same. Every effort will be made by the Commission in this direction, but it repeats what it has said elsewhere, that it needs an additional inspection force to enable it to accomplish the best results in this direction.

VIII. LOCOMOTIVE BOILER INSPECTION.

The Legislature by chapter 611, laws of 1905, added a provision to the Railroad Law providing for the inspection of locomotive boilers, the appointment of boiler inspectors by railroad companies, the filing of certificates of inspection with the Board of Railroad Commissioners, and providing for the appointment of a state boiler inspector. By chapter 208, laws of 1907, the act was made more specific in detail. The duty of enforcing this act devolves upon the Public Service Commission for the Second District as the successor to the Board of Railroad Commissioners.

Our last annual report outlined the duties of the Commission under this law, but the subject is believed to be of sufficient importance and interest to justify a recapitulation of the principal provisions of the act, and a description of the preliminary work done under it.

The present law makes it the duty of every railroad corporation operating locomotive boilers in this State —

1. To provide for an inspection of locomotive boilers and appurtenances thereof at least every three months, by an inspector of suitable qualifications and attainments to perform the service required, and able to form a definite opinion regarding the safety and proper maintenance of locomotive boilers.
2. To provide necessary safety appliances on all locomotive boilers, and maintain these appliances in good working condition at all times.
3. To require all locomotive boiler inspectors to fill out and sign, under oath, a certificate covering each inspection made on each locomotive boiler, and to file one copy of said certificate with the chief operating officer of the railroad company, and one copy with the Commission.
4. To require all locomotive boilers to be washed out at least once in every thirty days.

The law requires the Commission to formulate rules and regulations for the inspection and testing of boilers in accordance with the above requirements, and gives the Commission the right to require the removal of incompetent railroad boiler inspectors.

Under the above provisions of the law, the former Board of Railroad Commissioners, after a civil service examination, appointed Mr. G. P. Robinson as state boiler inspector; and as he has been found competent, Mr. Robinson has been retained by this Commission.

Regulations for the care and inspection of locomotive boilers in conformity with the law were prepared by this Commission shortly after it took office, and these regulations were made effective by order, September 1, 1907. The regulations were prepared after extended conferences with railroad mechanical officers, and were approved by representatives of the brotherhoods of locomotive engineers and firemen. Much effort was made in the preparation of these regulations to incorporate the best railroad practice, and to provide methods of enforcing the law which would be effective and at the same time capable of a reasonable and business-like execution. The operation of the regulations during the past year has been satisfactory, and no serious criticisms regarding them have been received from any source, although the fullest criticism has been invited, and the inspectors of the Commission have been instructed to report all defects which may be found in the regulations, or any unnecessary hardship which may be shown in their enforcement. The Commission is therefore justified in believing that the present regulations will require little if any change during the coming year.

There are about 6000 locomotive boilers used constantly in this State, and about 1500 more which are used occasionally, and which also require to be maintained and inspected in accordance with the state regulations. As there are about 54,000 locomotive boilers in use in the United States, the 7500 supervised by this Commission is about one-seventh of the total.

The boiler inspection regulations now in force contemplate two forms of report: First, a specification card which gives a description of the general design of the boiler, the principal dimensions, thickness of sheets, measurement of seams, and the results of the

calculations of the strains to which the principal parts are subjected, and from which the proper working pressure and the factor of safety can be computed. The age of the boiler, the tests to which the material was originally subjected, and any other data which may aid in determining the safe working pressure, are also required. This specification card is signed by the mechanical engineer of the railroad company or by another expert qualified to pass upon questions of boiler design and strength. The signature of the principal mechanical officer of the railroad company is also required.

The preparation of these specification cards has necessitated a large amount of work by the railroad companies, much of which has been caused by the large number of old boilers in use in the State, and for which no accurate records or drawings exist.

The railroads were given until January 1, 1909, to file these specification cards, and where good reason could be shown, a short extension of time has been granted. On January 1, 1909, 6114 specification cards had been filed with this Commission.

The principal calculations given on the specification cards for each boiler have been checked under the direction of the state boiler inspector, by a mechanical engineer who is familiar with locomotive boiler construction. The importance of this checking is indicated from the fact that serious errors have been found in over 800 cards filed by 26 out of 83 companies reporting, and these cards have been returned for correction. Unimportant errors in large numbers have been corrected by this department.

The specification cards of the boilers inspected in this State are being divided, for the purpose of examination, into groups, as follows: 1, boilers less than 25 years old, of good general and detail design, factor of safety more than 4, braces strained to less than 10,000 pounds per square inch, with longitudinal seams butt-joint or otherwise suitably reinforced; 2, boilers 25 years old or over; 3, boilers 20 years old or over, with factor of safety less than $4\frac{1}{2}$; 4, boilers 15 years old or over, factor of safety under $4\frac{1}{2}$, and having plain lap longitudinal seams; 5, boilers with factor of safety under 4; 6, boilers having calculated stresses in the braces of more than 10,000 pounds; 7, boilers in which the general design or the design of details as indicated by the specifica-

tion cards raise any question as to safety, although the calculated stresses and factors of safety may be within the limits given in the preceding groups.

The specification cards for boilers in the first group are passed without further examination. The cards for boilers in the remaining six groups are being examined with sufficient care to enable the experts of the Commission to determine whether any represented require special examination with a view of determining whether they are to be condemned, require to have weak points reinforced, or require to have the pressure reduced.

The following shows the number of boilers in each group as determined by examination of the 6114 boilers whose specification cards have been checked to date:

Number of boilers which do not meet the requirements of the first class	1,601
Number of boilers 25 years old or over.....	161
Number of boilers over 30 years old.....	14
Number of boilers of unknown age.....	19
Number of boilers 20 to 25 years old with factor of safety under 4½.	144
Number of boilers 15 to 20 years old, having plain lap longitudinal seams and factor of safety under 4½.....	156
Boilers with factor of safety under 4.....	963
Boilers with braces having stresses exceeding 10,000 pounds per square inch	1,038

The specification cards thus far examined show factors of safety varying from 2.18 to 8.88. The boiler having the factor of safety of 2.18 has been condemned.

It is very evident from the results of the calculations thus far made that a rule requiring all boilers to meet an arbitrary factor of safety would be unjust in its application. To insist, for instance, upon a minimum factor of safety of $4\frac{1}{2}$, which is considered by many railroad companies to be good practice, would require a reduction of pressure on many boilers of recent design, of the highest grade of construction, and of unquestioned safety. It is therefore very evident that in determining the safety of a boiler it is necessary to take into account the general design, the design of the principal details, the age, and the attention given to maintenance before a reliable idea can be formed as to the pressure which can be safely permitted.

A certificate of inspection is required by law to be filed with

the Commission for each boiler in the State once in three months. One copy of this inspection certificate is posted in the locomotive cab, and one copy is filed with the chief mechanical officer of the railroad company. All certificates are checked upon receipt in the office of this Commission, and compared with the certificates previously filed. The number of certificates filed for the year ended December 31, 1908, was 29,421. Special filing cases are provided for the inspection certificates and specification cards, so that in case of accident to any boiler used in this State, all of the data reported to the Commission can be used in the investigation.

If errors in the inspection certificates are found, letters are at once written or personal visits made by the state boiler inspector or an assistant. Several hundred certificates have been returned for correction. A record is kept of all errors made by the railroad boiler inspectors as far as discovered, and if the record indicates carelessness or incompetency, the case is reported to the proper railroad officer. It has been found necessary to ask the companies to relieve twenty-five inspectors from this class of work on account of careless work and incompetency, although every effort has been made by the state boiler inspector to allow for the friction and lack of understanding incidental to the inauguration of a new system. Many cases have been found where the officers in charge of boilers, especially in the smaller companies, are not satisfactorily trained for this work. A great deal of extra labor has thereby been added in supervision, as in most cases these men do not understand technical letters, and personal calls have been necessary.

The companies reporting boiler inspections to this Commission include 22 manufacturing companies owning locomotives which are used occasionally on railroad companies' tracks. While the law does not specifically cover these companies, it has seemed fair to the Commission to compel such companies to comply with the boiler inspection requirements, or to require the railroad companies to refuse such companies the right to use such locomotives on the railroad companies' tracks in this State.

Forty-four of the companies out of 83 reporting have no facilities for repairing locomotives. These are mostly small railroad and manufacturing companies who can not afford shops. A

shelter is usually provided for the locomotives, and only the simplest hand tools are furnished. In the case even of some of the larger roads, the shop facilities are not adequate, and the men in charge of repairs and inspection have to work under serious disadvantage. Increased attention will be given by the equipment and boiler inspectors of this Commission to such cases in the future, and companies will be asked to provide proper facilities for maintenance and inspection as rapidly as may appear to be reasonable in each case.

Considerable attention has been given by this department to the existing rules governing the size and capacity of safety valves required for the various designs and sizes of locomotive boilers, and it has been found that the rules now in force are unsatisfactory. The subject is, however, under consideration by the Master Mechanics' Association, by one or more of the prominent locomotive builders, and by manufacturers of safety valves, and it is probable that the matter will soon be put upon a more satisfactory basis.

Especial attention has been given to stay-bolt inspection, as broken stay bolts constitute one of the most serious sources of danger in the operation of locomotive boilers; and the fact that there has been no explosion of a locomotive boiler in this State during the past year on account of broken stay bolts is believed to be due in some measure to the strict inspection system required by the law. The regulations of the Commission require that all stay bolts shall be provided with telltale holes, drilled in the outer ends of the bolts in such a way as to show by the escape of steam when the bolt is broken. The only exception to this requirement is made in the case of such railroads as are able to prove to the Commission satisfactorily that unusual care is devoted to the inspection and maintenance of locomotive boilers, and especially to stay-bolt inspection. The railroad companies' records show that a much larger number of stay bolts are being removed at monthly inspections than has been customary in the past, and although this involves additional labor and expense in maintenance, the work is believed to be abundantly justified by the increased safety secured.

Apparatus for testing the accuracy of steam gauges has been

provided by railroad companies in about forty localities during the year, to meet the boiler inspection requirements.

It is a frequent practice of small companies to purchase second-hand locomotives. In such cases, the complete requirements of the Commission as to inspection and testing have been insisted upon; special examinations have been made where no satisfactory records exist, and in some cases the boilers of such locomotives have been condemned, and in other cases reduction in pressure has been ordered.

An investigation has been made of every serious accident which has been reported during the year to a locomotive boiler in this State.

The following is a summary of the accidents investigated:

Number of accidents.	Cause of accident.	Number of persons killed.	Number of persons injured.
17	Pocket flue blowing out.....		1
1	Arch tube burst.....	1	
45	Plugs blown out, nuts stripped and studs blown out.....		4
1	Burst flue.....	1	
1	Flue pulled out.....	1	
11	Low water.....	8	14
<hr/>			
1			
6			
31			
<hr/>			
37	Total number killed and injured.....		
<hr/>			
9	Number killed during 1908.....		
28	Number injured during 1908.....		
<hr/>			
37	Total number killed and injured.....		
<hr/>			

It will be noted that the principal cause of boiler accidents is low water. In most cases such accidents are principally the fault of the engineer operating the locomotive, and he frequently has to pay the penalty for his neglect by loss of life. The only way

in which this Commission can exercise its influence in the prevention of accidents of this character appears to be in the following directions: 1, By requiring the best care in the maintenance of gauge cocks and water glasses: a great deal of attention has been given to this subject by the inspectors of the Commission, and in every accident investigation involving low water a careful inquiry is made as to the condition of these parts; 2, by requiring the location of gauge cocks and water glasses in reference to the crown sheet to be carefully determined; the filling out of the specification cards requires, in doubtful cases, that measurements of the height of the crown sheet be taken, and a number of cases have been found where gauge cocks and water glasses were wrongly located; 3, by requiring special attention of railroad companies to the design and the maintenance of injector and feed water appliances: in every case of low water, the condition of the injectors and feed apparatus has been the subject of careful inquiry, and the necessity of giving special attention to these portions of the locomotive equipment has been the subject of consultation with railroad mechanical officers.

In this department of its work the Commission has received for the most part the cordial coöperation of railroad officers, the great majority of whom appreciate keenly the necessity of strict maintenance and inspection of locomotive boilers, and accept cordially any suggestions which may be offered to secure increased safety. The value of this part of the Commission's work has, we believe, been especially manifest in the case of small railroads which do not maintain a complete mechanical staff. Out of 83 companies reporting locomotive boiler inspections to this Commission, 47 do not maintain any mechanical organization, and are therefore for the most part without any expert advice in reference to this subject.

While radical defects have been found in many locomotive boilers, and in the methods of inspection and maintenance on some of the large railroads as well as on the smaller ones, the general result of the inspection work justifies the statement that the railroads in this state are giving careful attention to this subject, and the remarks in last year's report may properly be repeated, as follows:

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"It is but fair to say that the Commission has found it unnecessary to make any suggestions to some of the railroads in regard to the care of locomotive boilers, as the rules and methods of inspection now carried out on these railroads are more exacting than the Commission feels warranted in enforcing upon all railroads."

The inspection on other roads, however, has demonstrated the importance of this branch of the Commission's work, and has, we believe, resulted in substantially raising the standard of locomotive boiler inspection throughout the State by extending the application of the best practice in maintenance and inspection to all companies.

IX. PREVENTION OF ACCIDENTS ON RAILROADS.

Section 47 of the Public Service Commissions Law reads in part as follows:

"Each commission shall investigate the cause of all accidents on any railroad or street railroad within its district which result in loss of life or injury to persons or property, and which in its judgment shall require investigation. Every common carrier, railroad corporation and street railroad corporation is hereby required to give immediate notice to the commission of every accident happening upon any line of railroad or street railroad, owned, operated, controlled or leased by it, within the territory over which such commission has jurisdiction in such manner as the commission may direct."

Section 50 of the same law gives power to the Commission to require changes and improvements in the physical properties of corporations subject to its jurisdiction in order to promote the security of the public or employees.

Section 49 of the same law provides —

"And whenever the commission shall be of opinion, after a hearing, had upon its own motion or upon complaint, that the regulations, practices, appliances or service of any such common carrier, railroad corporation or street railroad corporation in respect to transportation of persons, freight or property within the state are . . . unsafe, improper or inadequate, the commission shall determine the . . . safe, adequate and proper regulations, practices, equipment, appliances and service thereafter to be in force, to be observed and to be used in such transportation of persons, freight and property, and so fix and prescribe the same by order to be served upon every common carrier, railroad corporation and street railroad corporation to be bound thereby."

These provisions of the law make it the undoubted duty of the Commission to concentrate its attention upon the safety of the public using the facilities of railroad corporations and the safety

of the employees engaged in their service. It must be observed that a large number of the railroad casualties reported are to persons trespassing upon the railroad right of way, and to prevent accidents of this character little or nothing can be done by the Commission. The accident occurs from the fault, omission, or neglect of the person injured, and not from any cause within the power of the Commission to remove. The transportation of passengers upon steam railroads is remarkably safe, considering the magnitude of the traffic. The injuries to employees and to property by reason of such accidents are excessive, and the resources of the State should be employed to reduce both. Exclusive of grade crossing eliminations, the efforts of the former Board of Railroad Commissioners seem to have been confined to an endeavor to obtain a proper maintenance of way and structures. One inspector of steam railroads and one inspector of electric railroads were employed by that Board, who gave constant and intelligent attention to such maintenance. It was impossible with so limited a force to inspect ways and structures with sufficient frequency, or to enforce compliance with their recommendations. This Commission has increased the force of steam railroad inspectors so that, as will be shown elsewhere, the ways and structures of all steam railroads under the supervision of the Commission have been inspected during the past year. This is important and not to be dispensed with work. Ways and structures should be maintained at the highest degree of safety. It is true, however, that the percentage of accidents arising from the imperfection of such ways and structures is small. How much greater such percentage would be if inspections were not frequent, rigid, and complete, no one can judge.

The Commission very early in its investigations reached the conclusion that in the interest of both safety and efficiency of operation there should be careful and rigid inspection of equipment, especially of locomotive equipment, and as is shown in its report for the year 1907, a supervisor of equipment was appointed who has given great and thorough attention to this subject, with results which will be detailed in the proper place in this report.

The inspector of electric railroads has been unable to cover all of the roads within the district during the year. The accidents

to passengers upon electric railroads have been more numerous than to passengers upon steam railroads. Nearly three hundred accidents have been investigated during the year by the inspectors employed by the Commission. The causes of these accidents it is impracticable to reduce to mathematical percentages. The conclusions of the inspectors are very definite, however, upon certain points. The inspector of electric railroads says: "At least 90 per cent. of the serious accidents on electric railroads in this District are the result of lack of proper equipment, failure of equipment, defective rules and methods of operation, or violations of rules. Not more than 10 per cent. of the accidents are caused by defects in track or roadbed."

The inspectors of steam railroads join in the following statement: "In most cases the accidents investigated were found to have been caused by the failure of employees to obey operating rules."

Ninety-four accidents were investigated by the supervisor of equipment, and his language is significant:

"Fifty-five per cent. of the accidents investigated have been caused by the disobedience of standard rules or special instructions which were in force for the safe movement of trains. The following are some of the principal causes of accidents of this class: Short flags, disregard of flags and signals, disregard of train orders, disregard of general rules and instructions. Ten per cent. of the accidents investigated have been caused by insufficient attention to maintenance of right of way, switches, interlocking plants, signals, etc. Thirty-five per cent. of the accidents investigated have been caused by improper inspection and maintenance of equipment or from failures of equipment.

"A large percentage of accidents resulting from failure of equipment is due to broken journals (either burnt off or having structural defects); broken cast-iron wheels (either from overheating from brake application or from structural defects); broken and loose tires which are not equipped with tire retaining devices.

"Accidents were investigated which were directly attributable to the amount of steam escaping from joints which were in bad condition so that view of enginemen was obscured.

"A number of derailments have occurred which were caused by loose tires which were not equipped with tire retaining device. A number of accidents have been investigated which were the direct result of the emergency application of the air brakes at some point in freight train where air brake equipment was not in proper condition."

It is unnecessary to multiply quotations from the reports of inspectors. They disclose a condition of affairs which can and

should be improved materially by rigid inspection and supervision.

A careful study of the conditions disclosed by the reports of investigations of accidents has led the Commission to adopt two orders: one relating to steam railroads, and the other to electric railroads. These orders are as follows:

Whereas, The reports of investigations of accidents upon steam railroads made to this Commission during the year 1908, indicate that a very large proportion of all the accidents so investigated upon such roads during the past year have been caused by the failure of employees to obey standard operating rules or special instructions which were in force for the safe movement of trains; and

Whereas, It is important that the Commission have all attainable information regarding the operating rules of all such roads, the methods used in examining applicants for employment as to capacity and fitness to discharge the duties of such employment, the methods used in instructing employees as to the rules and their duties under them, and the systems in use for enforcing observance of rules, to the end that it may properly discharge the duties imposed upon it by section 47 of the Public Service Commissions Law;

Ordered, That each and every operating steam railroad corporation under the supervision of this Commission be and it is hereby required and directed, pursuant to the provisions of sections 45 and 46 of the Public Service Commissions Law, to furnish and report to this Commission, on or before the 1st day of February, 1909, the following papers and information, to wit:

1. Five copies of all printed rules for the operation of its road.
2. A statement showing for each of the following classes of employees engaged in the operation of its road: namely, (a) engineers; (b) firemen; (c) conductors; (d) trainmen; (e) flagmen; (f) brakemen; (g) switch-tenders; (h) gatemen at crossings; (i) flagmen at crossings; (j) towermen; (k) telegraph operators; (l) train dispatchers; (m) any other employees engaged in operating trains, what examination or inquiry, if any, is made previous to their employment in or promotion to such positions, as to their mental and physical capacity, experience, and general fitness for the proposed employment.
3. A statement showing what steps are taken to require of each employee a competent knowledge of the operating rules governing his duties and conduct as such employee.
4. A statement showing what examinations or investigations are made from time to time, either regularly or otherwise, to keep informed as to whether employees of the said classes are familiar with the rules and instructions governing their duties and conduct, and what measures are taken to improve the effectiveness of operating rules from time to time, and their applicability to disclose accident situations.
5. What record, if any, is kept of violations of rules and instructions by any of the aforesaid employees.
6. Any other information which may, in the opinion of the chief operating officer of each of said corporations, be of use to the Commission in investigating the causes of accidents so far as such accidents arise from neglect or non-observance of rules and instructions by employees.

Whereas, The reports of investigations of accidents upon street surface railroads made to this Commission during the year 1908, indicate that a very large proportion of all the accidents so investigated upon such roads during the past year have resulted from one of the following causes, namely:

1. Failure on the part of the company to adopt a set of rules for the government of employees;
2. Failure on the part of companies to adopt a proper running schedule;
3. Defects in rules;
4. Violation of rules by employees.

Whereas, The methods employed in securing efficient and capable employees; the methods employed in maintaining such efficiency and capability of employees; the character of rules and schedules adopted by such companies seriously affect the foregoing causes of accidents; and to the end that it may properly discharge the duties imposed upon it by section 47 of the Public Service Commissions Law, it is important that the Commission have all attainable information in regard to each of the above items in the operation of all such roads; therefore,

Ordered, That each and every operating street surface railroad corporation under the supervision of this Commission be and it is hereby required and directed, pursuant to the provisions of section 45 and section 46 of the Public Service Commissions Law, to furnish and report to this Commission on or before the 1st day of February, 1909, the following papers and information, to wit:

1. Five copies of all printed rules governing employees in the operation of its road;
2. Five copies of the running schedule in effect on this date;
3. One complete set of blanks used in the employment of motormen and conductors;
4. A statement showing what instructions, either on the road or in the shop, are given applicants for the positions of motorman and conductor, and how much time, if any, must be spent by him in each case;
5. A statement showing the methods employed in addition to the use of blanks, in ascertaining the qualifications of applicants for the positions of motorman and conductor;
6. In cases where the system includes city and suburban lines, whether promotions are made from the city to the suburban lines; if so, what examinations are motormen and conductors applicants for promotion required to pass;
7. Does the company maintain a school of instruction for applicants for motormen and conductors; if so, give full description of equipment in school and methods employed in conduct of same;
8. A statement showing what methods are employed by operating officials to keep informed of the efficiency and capability of motormen and conductors;
9. What records, if any, are kept of the violations of rules by motormen and conductors;
10. Any other information on the subjects of maintaining discipline of employees, disclosing accident situations, and suggestions which may in the opinion of the chief operating officer be of use to the Commission in investigating the causes of accidents so far as they relate to defective rules or running schedules and lack of discipline of the employees.

The purpose of the Commission, as shown by these orders, is to use all the means in its power to eliminate causes of accidents. The chief end to be attained is the protection of the employees themselves. They are unquestionably the greatest sufferers from existing conditions; they encounter the greatest dangers; and the Commission earnestly hopes for their active coöperation and assistance in the measures which it hopes to inaugurate for their benefit.

The Commission desires to call attention in the most forceful manner possible to the fact that it can not without an increased working force, which involves an increased appropriation, do more in this direction than it has already been doing. A broad field of work is open before it. The experience of the Commission enables it to assert with confidence that great improvement in existing conditions can be obtained by the institution and rigid enforcement of proper measures of supervision. To this end it deems it essential that it should be placed in a condition to do the following things:

1. Increase the number of inspectors upon electric railroads;
2. Increase the number of equipment inspectors;
3. To employ at least two accident inspectors whose energies should be devoted exclusively to the investigation of causes of accidents, under the supervision and control of the Commission.

The inspectors now in the employ of the Commission should be relieved from the work of accident investigation, except so far as they are called upon to coöperate with the inspectors of accidents. A more efficient system of insuring compliance with the recommendations of inspectors should be inaugurated. The recommendations of inspectors are communicated regularly to the companies interested and every effort has been made to secure compliance with those recommendations. The manner in which the work should be handled is as follows:

The reports and recommendations of inspectors should be placed by the Commission in the hands of the chief of division, with proper instructions, whose business it should be to take up the matter, pursuant to such instructions, with the corporations interested, and each corporation should be required to comply with the recommendations made within a given time or show cause why the recommendation should be disregarded. The corporations should

be required to give immediate and prompt attention to those recommendations; and upon report being made that the recommendation has been complied with, an inspector should be required to ascertain whether or not a full and proper compliance has been, in fact, given.

In the inspection of equipment at least two inspectors should be constantly employed in riding trains and observing defects in locomotives and reporting thereon. In no other way can it be known whether or not the 6000 steam locomotives operating in this State are kept up to the present condition of safety and efficiency. The idea is not that the State should do the inspection work for the railroad corporations, but that the State should be in a situation to know that the inspection work of the corporations is properly performed by them.

In order further to carry out properly the program herein outlined, it is essential that the Public Service Commissions Law should be amended in certain particulars in order to confer upon inspectors the right to ride upon any train or any part of any train at any time. The work of inspection can not properly be carried on without such right. Each inspector should carry with him an order from the Commission requiring railroad employees to permit such inspection and riding upon trains, without order of any superior officer of the railroad companies. All persons employed in making investigations of accidents should also be given power to administer oaths and summon witnesses. An investigation without this power is frequently crippled.

At present only the Commissioners are authorized to administer oaths and summon witnesses, and owing to the pressure of other duties, it is wholly impracticable for the Commissioners, in most cases, to personally conduct accident investigations. Such investigations should be conducted by trained experts. In cases of especial importance, members of the Commission can assist, but on the whole, investigations of this character can be made most effectual and productive of good results by being conducted by those who make a special business of the matter.

The two orders hereinbefore given in full will place in the hands of the Commission, on the 1st of February, a vast amount of material which will require study, comparison, and skill in investi-

gation. Conferences should and must be held with operating officers of railroads, and with the employees themselves, in a strenuous endeavor to ascertain wherein existing conditions can be bettered.

At the proper time there will be submitted to the suitable committees of the Legislature, detailed estimates of the additional number of employees and the increased expense which will be involved in the work herein outlined. The Commission earnestly hopes that the Legislature will see its way clear to make such appropriation as to enable the work to go on effectually.

X. BUFFALO PASSENGER TERMINALS.

On the 28th day of February, 1908, there was filed with the Commission a complaint against all the steam railroad corporations having lines entering the city of Buffalo, concerning the existing freight and passenger facilities afforded by said corporations. The material portions of said complaint are as follows:

"We complain of the freight facilities as antiquated, inadequate, inconvenient of access, and unworthy of a city of the size, location, and importance of the city of Buffalo.

"We complain of the passenger facilities as out of date, unsanitary, dangerous to passengers, inadequate, and far inferior to the standard of stations to be found in Albany, Schenectady, and various other cities smaller and less important than Buffalo."

This complaint was numerously signed by citizens of Buffalo.

On the 3d day of March, 1908, the Commission ordered a copy of this complaint to be forwarded to each of the railroad corporations affected thereby, and that a hearing on said complaint be held in the city of Buffalo on Monday, the 23d day of March, 1908.

On the 21st day of March, 1908, there was filed with the Commission a complaint from the Citizens Union of Buffalo, a corporation, in and by which the Commission was asked to investigate the whole subject matter relating to the passenger stations of the various steam railroad corporations having lines in the city of Buffalo, as to efficiency, adequacy, security, convenience, fitness, and condition, and that the Commission should compel all of the said railroad companies entering the city of Buffalo to immediately provide for and maintain for themselves and the public improved,

modern, and proper stations in said city, at or near the present locations thereof.

On the 23d day of March there were filed with the Commission complaints numerously signed by citizens of Buffalo against the Lehigh Valley Railroad Company, alleging the grade crossings of said company at Michigan, Chicago, and Louisiana streets to be dangerous, and asking the Commission to order the abolition of these dangerous grade crossings by requiring the elevation of the company's tracks at said streets.

Hearings were had upon the matters involved in these complaints in the city of Buffalo, on the 23d, 24th, and 25th days of March, the 22d and 23d days of April, the 17th and 18th days of June, the 18th and 19th days of November, and the 14th day of December. About thirteen hundred pages of typewritten evidence have been taken at such hearings, and a large mass of exhibits, consisting of maps, tabular statements, and other documents, have been received in evidence. The proceeding is still pending before the Commission, and it is deemed important that the Legislature, as well as the public, should be advised of the course of the proceedings already had, and that a permanent record of the same be made for future reference.

There are in the city of Buffalo four passenger stations: namely, that of The New York Central and Hudson River Railroad Company on Exchange street; of the Erie Railroad Company on Exchange street; of the Lehigh Valley Railroad Company on Washington street; and of The Delaware, Lackawanna and Western Railroad Company on Main street. These several passenger stations have been for many years the subject of discussion and complaint by the residents of Buffalo. For at least eight years past such discussion has been acute, and very many efforts have been made on the part of the municipality, people of Buffalo, and the railroad companies to reach an agreement with reference to a union passenger station for that city. It is not intended to review the negotiations had upon this subject prior to the 1st of July, 1907, the time when this Commission took office. It is sufficient to say that about June, 1907, all negotiations seemed to have reached a standstill, and it became quite apparent that nothing could be accomplished without the intervention and aid of this

Commission. No complaints were made to the Commission until the dates above set forth, but the attention of the Commission was in other ways forcefully drawn to the situation, and accordingly, on the 29th day of January, 1908, the Chairman of the Commission addressed letters to the presidents of the various steam railroad corporations having lines entering the city of Buffalo, which letters were practically identical in form and substance. Answers were received in due course, and this correspondence will be given in an appendix to this report in connection with other and further correspondence, as hereinafter indicated.

At the hearings held on the 23d, 24th, and 25th days of March, a large amount of evidence was taken and discussion had relative to the adequacy of the existing passenger and freight terminals in the city; and at the hearings held on April 22d and 23d, and the 17th and 18th days of June, evidence was given by the joint terminal committee, a committee appointed by and representing various organizations in the city of Buffalo, tending to show that a site bounded northerly by Exchange street, westerly by Washington street, and southerly by Scott street, in said city, with some enlargements in various directions, would be entirely adequate for the construction and maintenance of a union passenger station designed to accommodate all of the steam railroad lines entering the city.

At the various hearings held as hereinbefore detailed, in the months of March, April, and June, the following railroad companies appeared by counsel and took part in the proceedings: The Delaware, Lackawanna and Western Railroad Company, Lehigh Valley Railroad Company, The New York Central and Hudson River Railroad Company, The Lake Shore and Michigan Southern Railway Company; The New York, Chicago and St. Louis Railroad Company; Michigan Central Railroad Company, West Shore Railroad Company, The Pennsylvania Railroad Company; Buffalo, Rochester and Pittsburgh Railway Company; Erie Railroad Company, Grand Trunk Railway Company, The Wabash Railroad Company, and Buffalo and Susquehanna Railway Company.

It appears that some or all of the railroad companies having lines in the city of Buffalo have a voluntary organization known as the Buffalo Railway Terminal Lines Committee, of which

Mr. William H. Truesdale, president of The Delaware, Lackawanna and Western Railroad Company, is chairman. On the 29th day of June, Mr. Truesdale addressed a letter to the Chairman of the Commission, of which the following is a copy:

NEW YORK, June 29, 1908.

HON. FRANK W. STEVENS,

*Chairman Public Service Commission for the Second District,
Albany, N. Y.*

Dear Sir: Referring to the meetings held by the Public Service Commission at the request of certain organizations at Buffalo, for the purpose of determining the proper site for a union passenger station at that point.

The representatives of the several railroads having terminals in Buffalo, namely:

New York Central Lines,
Erie,
Lehigh Valley,
Pennsylvania,
Buffalo, Rochester & Pittsburgh,
Delaware, Lackawanna & Western,
Grand Trunk,
Buffalo & Susquehanna,
New York, Chicago & St. Louis, and
Wabash,

having considered the plans submitted by the Citizens Union and affiliated organizations for a union station on the Exchange Street site, express their views as follows:

1. After careful consideration of the Citizens Union plan for a union passenger station on the Exchange Street site, it is unanimously determined that it is not acceptable; its excessive cost for land and land damages, lack of room for future development, the destruction of freight facilities, and extraordinary operating objections, make it wholly impracticable; and after consideration of this and other plans which have been previously considered, it is determined that the Exchange Street site can not be used for a union passenger station.

2. After careful and exhaustive examination and study of the whole situation, the committee of the railroad companies and that of the city of Buffalo, acting jointly on the question of a site for a union station for Buffalo, on June 11, 1907, recommended the adoption by the city authorities and the railways of the so called Fillmore Street site for a union passenger station and the concentration and arrangement of the local freight terminal facilities at or near Exchange street. This recommendation was, with some modifications, generally indorsed both by the railroad companies and the city as being the best site and providing the best plan that can be secured and devised from the standpoint of the best interests alike of the city and the railroads.

We are still of this opinion; in short, believe it to be the only practicable site for a union passenger station in the city of Buffalo.

A meeting of representatives of Buffalo railways was recently held at

which the union station question was further considered, and I was directed to inform your Honorable Commission of the conclusions reached, as above, which I accordingly hereby do, and remain,

Very respectfully yours,

W. H. TRUESDALE,

Chairman Buffalo Railway Terminal Lines' Committee.

Having duly considered this letter, the Commission, on the 7th day of July, adopted the following preamble and resolution:

Whereas, The proceeding upon the complaints of residents of the city of Buffalo, and of citizens of said city, concerning the passenger terminal facilities in that city is now pending undetermined, and the evidence taken upon the hearings therein and the personal observations of the Commission have shown a condition at the passenger station of the New York Central and Hudson River Railroad upon Exchange street, which in the judgment of the Commission imperatively demands changes in said station in order to secure adequate service and facilities for the transportation of passengers and property, and the Commission being satisfied that the situation with respect to said matters demands and requires the exercise of the powers conferred upon it by section 50 of the Public Service Commissions Law;

Resolved, That a further hearing upon said complaint be had at the hearing room of the Commission at the Capitol, in the city of Albany, on Monday, the 13th day of July, 1908, at 2 o'clock in the afternoon, and that The New York Central and Hudson River Railroad Company be and it is hereby directed and required to show cause at said hearing why it should not within a reasonable time to be fixed by this Commission, erect a new passenger station of a character, dimensions, and arrangement to be designated by this Commission upon the lands now owned and occupied by it and abutting upon Exchange street and Washington street in said city of Buffalo; and that said company further show cause at said place and time why its facilities at its Exchange Street station should not be used exclusively by it and its so called allied lines.

The hearing directed by such resolution was, by arrangement, had on the 14th day of July, at the hearing room of the Commission in the Capitol at Albany. At this hearing The New York Central and Hudson River Railroad Company appeared by its general counsel, and there were appearances by other of the companies not necessary to note at this time. After an extended discussion, the following statement was made by the general counsel for The New York Central and Hudson River Railroad Company:

"*Mr. Chairman:* I have had a conference with Mr. Brown (the senior vice-president) and with the other officers of the company, and first of all on their behalf and with their authority I beg to inform the Commission that as far as the New York Central is concerned it is in earnest with reference to this Buffalo proposition, this Buffalo matter, and that the company is

desirous of reaching, as soon as can be properly done, some disposition of the permanent terminal facilities in that city, and to that end are prepared, if they have not done so in the past, to give an assurance to the Commission that they will hereafter coöperate with the Commission in the endeavor to bring about some solution of that question in the way that it should be solved, some proper solution of it. In the next place, we have suggested to the Commission that the matter of the investigation of the Exchange Street site be proceeded with in just the way that the Commission suggested it should be considered at the time of its last adjournment in the matter; let that matter go on, so far as the New York Central is concerned, for whom I speak, as though the letter of June 9, if that is the date (referring to Mr. Truesdale's letter of June 29th), had not been written, be unaffected by that letter; that this intermediate proceeding, if I can so designate it, be adjourned to a time to be fixed by the Chairman, that is subject to the call of the Chairman, so that if it becomes necessary to take this matter up further that it can be brought up at any time by the Commission."

Pursuant to this suggestion of the general counsel of The New York Central and Hudson River Railroad Company, the proceeding instituted by the resolution of July 7th was held open indefinitely, and at the earliest practicable moment hearings were resumed in the city of Buffalo under the original proceeding. Such hearings were held on the 18th and 19th days of November, at which time Mr. A. T. Hardin, an engineer representing The New York Central and Hudson River Railroad Company, gave a large amount of evidence tending to show that the Exchange Street site, so called, for a union passenger station: the plan being presented by the Joint Terminal Committee and called the Kimball plan, from the engineer who prepared the same, was impracticable, and could not be approved by the railroad companies. At the conclusion of the hearing on the 19th day of November, the Commission announced that it would take an adjournment until the 14th of December, at which time the cross-examination of Mr. Hardin would proceed, and that the railroads favoring the site for the union passenger station known as the Fillmore Avenue site would be expected to present their plans at that time for that site. In order to bring matters to a definite issue regarding the so called Fillmore Avenue plan, on the 23d day of November the Chairman of the Commission addressed a letter to Mr. Truesdale, the Chairman of the Buffalo Railway Terminal Lines' Committee, of which the following is a copy:

November 23, 1908.

W. H. TRUESDALE,

*Chairman Buffalo Railway Terminal Lines' Committee,
90 West St., New York City.*

Dear Sir: You are respectfully advised that the next hearing to be given by this Commission upon the matter of passenger terminals in the city of Buffalo will be held in that city on Monday, the 14th day of December, next, beginning at 10 o'clock in the forenoon.

It is desired that the several railroad companies interested shall at that time be prepared to offer all such evidence as they may care to give concerning the practicability and advisability of a union passenger station at East Buffalo on what is known as the Fillmore Avenue or William Street site.

It should be understood that there has never been brought to the attention of the Commission as an objection to this site that it did not embrace operating area ample for both present and future needs during such period as prudence demands should be considered. The contention adverse to it which the hearings have developed may be concisely summarized, as follows:

a. That it is so located with reference to the business and residential portions of Buffalo, furnishing its principal local business, as to be wholly unacceptable.

b. That its distance from those points in the city which the traveling public desires to reach is so great as to add materially to the public expense in cab hire and the like, and to the time required to go from the station to the principal hotels and office buildings.

c. That the surroundings are offensive in many ways, both to sight and smell, and are unworthy of the principal approach to a great city.

It is also urged upon the Commission that the adoption of this site would involve so many changes in both the absolute and relative advantages now possessed by the several railroad corporations affected that a definite working agreement between them is impossible. Thus, it is alleged that it is impossible for the N. Y. C. & H. R. R. Co. to abandon the use of its tracks through the Exchange Street site and the Terrace for passenger purposes, and that it is and will be required to maintain passenger stations at these points, thus giving it an advantage in passenger traffic over its competitors which would compel them to refuse to be restricted to the Fillmore Avenue station as their sole passenger entrance to the city.

It would serve no useful purpose to make a complete list of other objections which are, it is to be assumed, within the knowledge of the railroad companies and are of importance as bearing upon the question of the possibility of reaching a definite and satisfactory agreement.

These matters are now touched upon with the purpose of pointing out that they necessarily require the scope of the hearing to include the inquiry whether the railroad corporations have reached a definite working agreement relative to this proposed union station, and if so, its terms. Upon this the Commission trusts they will be able at the outset to make definite statements. Until they have reached such an agreement, investigation as to the mere operating adequacy of the proposed site would seem to be fruitless. The hearings thus far had have developed the necessity of commencing such work

as may be determined upon in the spring of 1909, and the Commission can perceive no reason why its inquiries should not be completed and its determination reached before that time.

It trusts that the companies, in the event of submitting a perfected agreement for the construction of such proposed union station, will not, in view of the very earnest opposition of the joint terminal committee of citizens of Buffalo to the selection of this site, overlook the importance of presenting such reasons for the abandonment of the existing stations as would justify the Commission in assenting thereto, pursuant to the provisions of section 34 of the Railroad Law.

It will also tend to expedite the proper consideration of any suggested plan if there be clearly presented the action desired of the municipal authorities of Buffalo in the direction of opening (or closing) streets, plazas, and other approaches.

Relying upon the active coöperation of the several companies of whose committee you are the Chairman, I remain,

Yours very respectfully,

F. W. STEVENS,
Chairman.

On the 12th day of December there was received from Mr. Truesdale a letter of which the following is a copy:

NEW YORK CITY, December 10, 1908.

HON. F. W. STEVENS,

*Chairman New York State Public Service Commission for Second District,
Albany, N. Y.*

My Dear Sir: In further response to your letter of November 23d: on behalf of the several railroad companies having termini in Buffalo, we beg to say, at the risk of some repetition of facts and papers that may have heretofore been presented, it seems essential to review the question of securing a union passenger station in the city of Buffalo, or at least the steps taken within the past few years.

The city of Buffalo inaugurated the negotiations which, as outlined herein, have covered the past eight years, for the distinct and only purpose of securing a union passenger station for that city. The several mayors who have held office during that period, the members of the different city councils, and the various commissions and committees of Buffalo citizens, who have at one time or another been party to these negotiations, have all, without an exception, at all times pressed the union station proposition as the only one to be considered from the standpoint of the city of Buffalo. It was not until after the report of the joint railroad and city committees of June 11, 1907, had been presented and favorably acted upon, as herein set forth, by the Buffalo city council, and until it was shown so conclusively by the report that the Fillmore site was the most feasible one for a union station, that organized opposition to any union station was found to exist, and later the parties active in this opposition movement organized a committee to represent them.

The effort for a union station which seemed to promise success was the movement on the location known as the Genesee or "Cary" site, at which

time there was unquestioned coöperation between the city and the railroad companies, which is absolutely essential, and there was a pronounced sentiment favoring that site, and the railroads accepted the site, although with some reluctance. This movement for the Genesee site was active for several years prior to 1906, and was the result following the appointment by Mayor Knight, of Buffalo, of a committee to negotiate with the railroad companies for the construction of a union station. This committee after prolonged negotiations with the representatives of the railroad companies, made a report to the mayor of Buffalo recommending among other things the construction of a union station on the Genesee site, and the necessary options were taken upon a large part of the property required for the station, so that the city and the railroads might not be prevented from proceeding with its erection on that site. The mayor sent this report to the common council of the city, together with a communication recommending that the city of Buffalo prepare an act to be presented to the Legislature of the State of New York, providing for a committee to carry on further negotiations with the railroad companies for the purpose of constructing a union station on the Genesee site.

Thereupon a bill was prepared under the direction of the common council and the corporation counsel of the city, and presented to the New York State Legislature. This bill provided, among other things, that before any contract or agreement between the city and the railroad companies should become binding and effective upon the city, the same should be submitted to popular vote of the citizens of Buffalo for their rejection or approval, of the terms of the contract to be made by this legally authorized committee with the railroads.

The bill passed both houses of the Legislature, and was sent to the Governor for his action thereon. A hearing was had before the Governor, at which several citizens of the city of Buffalo were heard in opposition thereto. Thereafter the Governor vetoed the bill, and the whole effort upon the part of the railroads, the city and many citizens of Buffalo to establish a union station failed of consummation.

We state this fact in this connection for the purpose of showing to your Commission that the railroad companies in this instance not only signified their willingness but were prepared to join with the citizens of Buffalo in the construction of a union passenger station on the Genesee site, which its mayor and common council approved.

The next movement looking to a union passenger station began in 1906, at the initiation of Mayor Adam, and resulted in the appointment of a committee known as the City of Buffalo's Committee on Railroad Terminals, composed of Messrs. Henry J. Pierce, chairman, Carl V. Machemer, and W. H. Gratwick, and a committee appointed by the railroads, known as the Railroad Companies' Committee on Buffalo Terminals, composed of Messrs. William J. Wilgus, chairman, Samuel Rea, and J. M. Graham. These two committees made a very careful study of the whole situation, and embodied the results of their labors and their recommendations in a joint report dated June 11, 1907, addressed to Hon. J. N. Adam, Mayor of the City of Buffalo, New York, and the presidents of the several railroad companies interested, a copy of which is herewith submitted for use in the proceedings before your Commission. This report deals with the subject so fully, impartially and broadly that there is nothing else to be said on the subject from a practical

railroad standpoint; and the fact should be borne in mind that its findings were those of a joint committee composed of representatives of the citizens of Buffalo and of the railroads, and that the report was approved by the then acting mayor of the city of Buffalo, the board of councilmen and the board of aldermen as to its general scope, and especially as to the location therein recommended on what is known as the Fillmore site. It is true that such approval by the city authorities was given with certain modifications and amendments, which, if adhered to, would have precluded acceptance by the railroad companies. However, before any further negotiations could be had to remove these differences and secure unanimity as to detail, representatives of several citizens and business associations of Buffalo came forward with propositions condemnatory of the Fillmore site, which was voiced pretty generally by the press of Buffalo, and upon request a conference was held in February, 1908, between a committee of the Citizens Union and the chairman and members of the city committee, and the several railroad companies, at which a full discussion was had, but the new conditions set forth and the condemnation of the Fillmore site seemed to leave the matter in irreconcilable shape, because of the divided sentiment of the various sections of the city of Buffalo, and made it impossible for the railroad companies to make further progress, and the representatives of the city of Buffalo's committee and the Citizens Union committee were so notified at the conference in New York on February 17, 1908.

Some persons or associations have also undertaken to revive the Exchange Street site as the best in Buffalo for a union passenger terminal, but we think the hearing before your Commission as well as all the consideration and discussion of that site since 1902, develops facts in connection therewith which in no way weakens the conclusion of the railroads and city committees that the Fillmore site is, all things considered, the best adapted in the city of Buffalo for a union passenger station.

The railroad companies have, as hereinbefore described, made earnest efforts to meet the city of Buffalo in a union station proposition, and while the difficulties in the way, physical and otherwise, at times seemed insurmountable, the railroad companies have heretofore waived their individual views and stood ready to unite for the accomplishment of what seemed to be for the best interests of the city and themselves, notwithstanding they fully realize that in the erection of a union passenger station a large amount of new capital would be required, upon which they would have to earn and pay the interest, and in addition assume and pay largely increased terminal operating expenses. As we have shown, the railroad companies have done their part regarding the Fillmore site as fully as they discharged their duty regarding what is known as the Genesee site. The latter site really never met with the unqualified approval of the railroad representatives, because they believed that it would not satisfy the growth and conditions of Buffalo for a sufficiently long period, but nevertheless they accepted it and it is no fault of theirs that the matter was not consummated. It is manifest that, until the city of Buffalo and its citizens reach a practically unanimous conclusion in accord with the necessities respecting the site for a union station, so clearly indicated in the report of the committees representing the city and the railroads, it is impossible for the railroad companies to make progress with the matter. There are many difficulties in the

way of securing a union station, none of them, however, insuperable, but among them is one to which you refer, requiring the New York Central to maintain and use its station and tracks at the present Exchange Street site for passenger purposes, which the railroads feel must be abandoned if a union station is to be erected.

The several railroad companies could not relinquish their individual stations and join in a union station unless all of the interests were assured of equality in the use of said station, and that no railroad had the advantage of other passenger terminals in the city of Buffalo not accorded to the others. This is one of the difficulties to be overcome in a general consideration of the scheme, and the report of the two committees is predicated on that and other conditions, receiving the careful consideration and coöperation of all interests towards removing their difficulties.

We also believe that the points raised in your letter for and against the Fillmore site are fully, frankly, and impartially covered by the said report of the railroads and city committees hereinbefore referred to, and that no further or clearer evidence can be presented than is contained in that report. Therefore, anything further that the railroad companies might say respecting this site would be merely a reiteration of what is contained therein. However, we have requested the railroad committee, composed of Messrs. William J. Wilgus, Samuel Rea, and J. M. Graham, who with the city committee made this report, to attend your hearing on December 14th next. They have acted on behalf of the railroads in studying the matter impartially and intelligently from a practical railroad viewpoint, and in regard to the question of a station site, and that only, are they authorized to express the views of the railroads. It is apparent from this statement of the situation that no agreement for the financing, construction, and operation of a union station can be negotiated, prepared, or completed by the railroads unless and until:

First, a site for a union station has been adopted which is acceptable to both the interests of the city and the railroad companies, and is adapted to the present and future development of the city and the railroads.

Second, all of the difficulties which obstruct the adoption of such a site have been removed, or will be adjusted by mutual conference between the city and its various conflicting interests.

Third, it is understood that a union station in fact, as well as in name, is contemplated, and that no single railroad company shall be accorded the advantage of other passenger stations or facilities to the detriment of its competitor railroad companies.

With these obstacles removed and the city coöoperating with the railroad companies, the latter would be in a position to negotiate among themselves as to financing, constructing, and operating a new union station on a definite location, and after ascertaining what proportion of the cost and of the maintenance and operating expenses each of the using companies would be required to pay, could, respectively, through their boards of directors, decide whether they could commit their companies to such large capital and operating expenditures.

The various items outlined in your letter as contemplated to be dealt with at the hearing, we believe you will find fully considered and answered in the city and railroad committees' report, a copy of which is attached

hereto for the information of the Commission and the public; and the reasons so fully and impartially presented for the best interests of the public, and the city and the railroads, that we trust you will feel it fulfills the hope you express of justifying the Commission in assenting to the abandonment of the existing stations when request therefor has been made in accordance with the Railroad Law, and of expediting the proper consideration of any suggested plan and coöperation desired from the city of Buffalo in the opening or closing of streets, plazas, and other approaches.

Yours very truly,

W. H. TRUESDALE,

Chairman.

Upon the receipt of this letter it was given careful consideration by the full Commission, and in its judgment it effectually precluded any further consideration by the Commission of the project of a union passenger station in the city of Buffalo. The reasons for this conclusion are very plain:

First, the Commission has no power to require the construction of a union passenger station, and any such station must be the result of voluntary agreement upon the part of the railroad companies joining therein.

Second, the letter plainly states that no such voluntary agreement could be had until a site for a union station has been adopted which is acceptable to the interests of the city and the railroad companies. No power exists to compel the adoption of any such site other than by the voluntary agreement of the companies. It is well known that powerful business interests in Buffalo are radically opposed to the adoption of the Fillmore Avenue site favored by the railroad companies, and that an agreement between the companies and those interests in that city is impossible. The requirement that there must be an agreement between those interests and the railroad companies was made with full knowledge on the part of the companies that such agreement was impossible, and therefore it must be treated as having been imposed by the companies with the clear and distinct purpose of ending the consideration of a union passenger station.

Third, the one sentence of this letter to which it all leads up, and which is controlling of this intent and purpose, is the following: "With these obstacles removed and the city coöoperating with the railroad companies, the latter would be in a position to negotiate among themselves as to financing, constructing, and operating a new union station on a definite location, and after

ascertaining what proportion of the cost and of the maintenance and operating expenses each of the using companies would be required to pay, could, respectively, through their boards of directors, decide whether they could commit their companies to such large capital and operating expenditures."

This sentence clearly reserves to each and every railroad company involved the absolute right to determine, after all preliminary arrangements have been made, whether or not it would enter into the project of a union station. All efforts upon the part of the Commission, upon the part of the business and other interests of Buffalo, and upon the part of the companies themselves, could be defeated by the non-action, or rather the assertion of veto power, of one company. Such a position as this obviously made further action by the Commission with reference to a union passenger station not merely ineffectual but absolutely ridiculous.

From March until December the railroad companies had given their coöperation to the Commission only in showing what could not be accomplished. By this letter they plainly advised the Commission that whatever agreement it might succeed in effecting among the citizens of Buffalo, whatever its own conclusions might be as to the availability or propriety of a site, even if such agreement and such conclusions were approved by the companies themselves, that they would not feel under the slightest obligation to observe such agreement and conclusions, or to do anything more than possibly consider whether they would commit themselves to the required expense.

The condition of the passenger stations in the city of Buffalo is not such as to warrant treatment of this character, nor to justify the delay which would be occasioned by interminable negotiations which this Commission would not have the power to end by an order. Accordingly, at the hearing on the 14th of December, it read the letters above quoted and announced its conclusions. That it had correctly interpreted the letter which it had received was not questioned by the representatives of the railroad companies present, the companies themselves were not prepared to submit any plans or make any suggestions, and therefore the Commission in substance definitely announced that no further consideration would be given to the proposition of a union passenger station in that city, but would proceed at such time as its business permitted

with a consideration of the improvement of the existing passenger stations. To this end it has made orders requiring each of the companies having passenger stations in the city of Buffalo to show cause before the Commission, at the Capitol in the city of Albany, on the 20th day of January, 1909, why they should not erect new passenger stations or make such improvements to the existing stations as to make them fully adequate for the needs of the public.

It must be observed that the situation in Buffalo regarding both freight and passenger terminals is exceedingly difficult and complex. It is not intended at this time to enter into any discussion of the problems involved or to indicate the proper method of solution. The inquiries already made show clearly that only by great patience, careful investigation, and much concession, can any result which is satisfactory be reached. The Commission believes that the present condition of affairs regarding these terminals is a distinct hindrance to the growth and prosperity of Buffalo. It believes that an early solution of the question is of prime importance to the railroad companies themselves. It is not unaware of the financial problems involved in the consideration of new stations in a city of the size and importance of Buffalo; it believes, however, that if once definite plans are agreed upon by all parties and a definite conclusion is reached as to what is to be done, the time of performance can easily be adjusted to financial exigencies.

XI. INFORMAL COMPLAINTS.

During the year 1908, the Commission handled 1147 informal correspondence complaints; of which 928 were settled to the satisfaction of the complainants, closed for lack of jurisdiction, or closed with explanation to complainants that this Commission did not feel warranted in taking further action.

The following table shows the number received and closed under various classes:

<i>Railroads, Traffic.</i>	<i>Received.</i>	<i>Closed.</i>
Passenger fares	70	51
Free transportation	1	1
Transfers	8	5
Bridge tolls	1	1
Claims, excess fare	8	3
Passenger service	208	178
Storage charges	1	1

<i>Railroads, Traffic.</i>	<i>Received.</i>	<i>Closed.</i>
Excess baggage	3	2
Claims, loss of baggage	6	6
Freight rates	109	88
Storage charges	1	1
Switching charges	9	6
Carload charges	9	5
Claims, overcharge	64	33
Bills of lading	3	..
Freight service	70	62
Car service and demurrage	36	31
Claims, loss, etc.	39	38
Carload weights	4	2
Switching service	7	7
Marking	1	1
Loading and unloading	3	1
Sidings	5	4
Stations, passenger	31	21
Stations, freight	1	..
Train crews	4	4
Time-tables	5	2
Telegraph operators	4	4
Employees, general	1	1
Miscellaneous	4	4
<i>Railroads, Engineering.</i>		
Tracks	14	11
Bridges, tunnels, etc.	9	6
Ties	2	1
Rails	2	1
Curves	1	..
Sidings	3	2
Crossing gates and signs, interlocking	21	18
Right of way	18	16
Stations	6	4
Grade crossings	35	25
<i>Railroads, Equipment.</i>		
Bell ringing and whistling nuisance	3	3
Cars, passenger	42	30
Cars, freight	2	2
Shops, power houses, engine houses, etc.	1	1
Miscellaneous	36	36
<i>Railroads.</i>		
Securities, issue of	3	3
Franchises	2	2
<i>Express Companies.</i>		
Rates	41	34
Service	34	31

<i>Light, Heat, and Power.</i>	<i>Received.</i>	<i>Closed.</i>
Gas corporations:		
Rates	16	13
Service	23	18
Miscellaneous	5	5
Electrical corporations:		
Rates	23	16
Service	17	15
Miscellaneous.	72	72
Total	1,147	928

The Commission has found the method of handling large classes of complaints by correspondence in an informal manner productive of very satisfactory results. A prompt solution of individual grievances is of great importance and is of benefit, where heretofore there has been no redress.

XII. GRADE CROSSING ELIMINATIONS.

The following is a statement of the conditions of grade crossing eliminations at this time:

Completed Grade Crossing Cases (section 62) awaiting settlement:

<i>Railroad.</i>	<i>Town or Village.</i>	<i>Estimated State's portion.</i>
Erie and B., T. I. & P..	Niagara Falls (Pine St.)	\$11,979 00
N. Y. C. and D. & H....	Schenectady	234,812 25
D. & H.....	Schenectady	35,000 00
Erie	Livonia	1,306 00
N. Y. C. & H. R. R. R..	Auburn (Van Anden St.)	4,725 00
Erie	Niagara Falls (Niagara St.)	5,625 00
Long Island	Oyster Bay (Glen Cove back road).	4,295 00
N. Y. C. & H. R. R. R..	Wolcott (Tyrell road)	150 00
West Shore	New Scotland (Wolf highway)	3,000 00
Long Island	Southampton (Cherry Tree road)	2,511 50
Long Island	Southampton (St. Andrews road)	5,500 00
Erie	Chemung (Hoberts)	3,477 87
		\$312,381 62

Grade Crossing Cases in process of construction (not completed):

N. Y. C. and B., R. & P.	Gates	\$36,000 00
Erie	Hornell	35,475 33
N. Y., O. & W.....	Rockland (Livingston Manor)	4,514 13
N. Y. C. & H. R. R. R..	Schenectady (Peek and Nott Sts.)	22,250 00
N. Y. C. (B. & A.).....	Chatham (Cady's)	2,875 00

D. & H.....	Bethlehem (Rockefeller road).....	\$1,874 40
N. Y. C. and N.Y., O. & W. Oswego (East 4th and Schuyler)....	11,689 12	
N. Y. C. & H. R. R. R. Yonkers	138,000 00	
N. Y., C. & St. L..... Westfield (North Portage St.).....	5,518 25	
Lehigh Valley	Waverly (Chemung St.) inc. land...	7,500 00
D., L. & W.....	Vestal (appealed).....	.....
N. Y., O. & W.....	Firthcliff (Willow Ave.).....	10,883 00
N. Y. C. & H. R. R. R. Rochester (Culver road).....	50,000 00	
Long Island	No. Hempstead (Old Westbury rd.)..	14,105 00
Long Island	Huntington (N. Y. avenue) .....	.....
Long Island	Huntington (Long Swamp road)...	12,912 00
N. Y. C. & H. R. R. R. Sennett (Grant Ave., etc.).....	6,025 00	
L. S. & M. S.....	Bryant (Strong highway).....	No expense
Nypano R. R.....	Lakewood (Shadyside Ave.)	No expense
N. Y. C. & H. R. R. R. Utica (No. Genesee St.).....	92,500 00	
L. S. & M. S.....	Hamburg (Big Tree crossing).....	10,000 00
N. Y. C. & H. R. R. R. Tuckahoe (Main St.).....	32,500 00	
N. Y. C. & H. R. R. R. Mt. Vernon (Mt. Vernon Ave., etc.)	89,250 00	
B. & M.....	Troy (Tarbell's crossing).....	12,500 00
L. S. & M. S.....	N. Evans (N. Evans highway).....	5,000 00
L. V. R. R.....	Town of Verona	No expense
N. Y. C. & H. R. R. R. Town of Stafford.....	8,350 00	
Long Island	Long Island (Broad Hollow road)..	4,750 00
Add for interest charges, land damages and contingencies....		35,000 00

\$649,471 23

Total	\$961,852 85
Previous amounts appropriated	1,367,606 92
New appropriation, chap. 466, laws 1908.....	250,000 00

\$1,617,606 92

Total amount paid by State Treasurer.....	431,294 99
Less amount obligated as above, based on estimate.....	961,852 85
Balance available for future determinations.....	\$224,549 04

The foregoing statement discloses that the balance for future determinations is \$224,549.08. As a matter of fact, there are now pending before the Commission several grade crossing elimination cases in the so called electric zone of The New York Central and Hudson River Railroad Company in the county of Westchester, which cases will be determined as soon as the Commission has been able to settle upon certain details. In all of these cases elimination will be ordered, and the portion of the expense to be

paid by the State will practically exhaust the foregoing balance. This fact makes it certain that the Commission has now or will within a short time have exhausted all of the appropriations available for this character of work. If the work is to be carried on, it will be necessary for the Legislature to make appropriation during its present session.

XIII. WORK OF DIVISION OF LIGHT, HEAT, AND POWER.

The Commission has under its supervision 414 operative corporations furnishing gas, electricity, and gas and electricity, and 50 municipalities having plants for the supply of gas or electricity. The different classes of service furnished, and the number of corporations, persons, and municipalities engaged in each class, is summarized in the following table:

Class of service.	Total number of corpora- tions and muni- cipalities.	SUPPLIED BY		
		Cos.	Ind.	Mun.
Electricity.....	278	173	58	1
Gas and electricity.....	47	47		47
Mixed gas and electricity.....	2			
Coal	17			
Water " " "	26			
Natu'l " " "	2			
Coal gas.....	19	18	1	
Water gas.....	11	10	1	
Coal and water gas.....	5	5		
Coal and natural gas.....	1	1		
Natural gas.....	52	42	10	
Oil gas.....	1	1		
Acetylene gas.....	31	18	11	2
Gasoline gas.....	19	15	3	1
Total number of plants.....	464	330	84	50

New plants that are now operative, having since July 1, 1907, secured the approval of the Commission to begin construction, are given in the following list, in which is also shown the locality of operation and the class of service furnished:

Plant of	Locality.	Service.
Village of Sherburne (Municipal plant) Sherburne Gas Co.....	Sherburne.....	Electricity, Gasoline gas.
Eariville Electric Light Co.....	Sherburne.....	Electricity.
Panama Power Co.....	Eariville.....	Electricity.
Millerton Electric Light Co.....	Panama.....	Electricity.
Katonah Lighting Co.....	Millerton and town of North East.....	Electricity.
Schaghticoke Electric Co.....	Town of Bedford, excepting village of Mt. Kisco.....	Electricity.
Village of Arcade (Municipal plant) Great Bear Light and Power Co.....	Towns of Schaghticoke, Half Moon, Clifton Park, Glenville, and Niskayuna.....	Electricity, Electricity.
Keyea Electric Co.....	Arcade.....	Electricity.
Marion Borden Halliday.....	East Worcester, West Richmondville, and Richmondville.....	Electricity.
Wells Island Light and Heat Co.....	Gowanda.....	Electricity.
Peter and Josef Goergen.....	Town of Shawangunk.....	Electricity.
Kanes Falls Electric Co.....	Thousand Island Park on Wells Island.....	Acetylene gas.
Berlin Electric Light, Ht. & Power Co.....	Castleton.....	Acetylene gas.
	Towns of Fort Ann, Kingsbury, and Queensbury.....	Electricity.
	Town of Berlin.....	Electricity.

The Lockport Light, Heat and Power Company is operating the plants of the Lockport Gas and Electric Light Company, furnishing gas and electricity in the city of Lockport, and the Economy Light, Fuel and Power Company, furnishing electricity in the same city, the consent of this Commission having been given to the merger of these companies.

The Schaghticoke Electric Company has changed its corporate name to that of the Schenectady Power Company. The consent of the Commission was given to this company to construct a high-power transmission line from a point on the Hoosick river near Troy to Schenectady, over which is transmitted the entire electric energy generated for use by the General Electric Company in Schenectady.

The Kanes Falls Electric Company is also a transmission company, the consent of the Commission having been given to the construction of a transmission line from Kanes Falls through the localities named over which electric energy is now furnished to the Hudson River Electric Company in the city of Glens Falls.

Plants that since July 1, 1907, have extended their territory of operation by virtue of orders of the Commission consenting to the exercise of rights and privileges under new franchises or old franchises not heretofore exercised, are included in the following

list, in which is also given the new localities of operation and the class of service furnished therein:

Plant of	New franchise exercised.	Service.
Utica Gas & Electric Co.....	Village of Frankfort, towns of Frankfort, German Flats, and Little Falls.....	Water gas.
Rochester Railway & Light Co.....	Town of Irondequoit.....	Mixed gas an electricity.
Sodus Gas & Electric Light Co.....	Town of Williamson.....	Electricity.
Buffalo General Electric Co.....	Blasdell.....	Electricity.
Niagara, Lockport & Ontario Power Co.....	Blasdell.....	Electricity.
A. L. Swett Electric Light & Power Co.....	Towns of Ridgway and Albion.....	Electricity.
Chasm Power Co.....	Towns of Belmont, Burke, and Malone.....	Electricity.
Broadalbin Electric Lt. & Power Co.....	Towns of Mayfield and Broadalbin and village of Mayfield.....	Electricity.
Clear Creek Oil & Gas Co.....	Town of Collins outside village of Gowanda.....	Natural gas.

Inspection of Gas.—The work of systematically testing coal gas, water gas, and mixed coal and water gas for candle-power and impurities has been continued, 736 inspections having been made for the year. The gas in each instance is tested for candle-power, the amount of sulphur and ammonia, and the presence of hydrogen sulphide. A record of the pressure at which gas is delivered is also taken.

The tests this year were made under a schedule which provides, not as heretofore for an equal number of tests of the gas of each company, but a number determined by the annual output of each company. The gas of companies making annually less than 10,000,000 cubic feet of gas is tested four times a year. For each 10,000,000 cubic feet produced in excess of this minimum amount an additional test is made, the maximum number of tests, however, for any one company being 26.

Four hundred and fifty-five of the inspections showed gas at the required standard; the remaining tests disclosed deficiencies in one or more respects.

Of the 81 companies furnishing coal gas, mixed gas, or water gas, 12 manufactured gas which on each test successfully met every requirement. The gas of the remaining companies was found deficient one or more times, either as to candle-power or the presence of impurities in excessive quantities.

Formal reports of the result of each test are made to the companies. When the gas is found below the standards prescribed by law in any particular, the deficiency is pointed out and the company called upon to explain and to report the remedies pursued to prevent a repetition. A number of plants at which difficulties were experienced in maintaining gas up to standard were inspected and changes recommended in methods employed or apparatus used. In one instance the more drastic step was taken of summoning a company, whose product had been consistently of an inferior grade, to appear before the Commission and show cause why extensive improvements to the plant and distributing system should not be made. This practice will be pursued when in the judgment of the Commission a satisfactory quality of gas can not be manufactured under existing conditions, the correction of which is not voluntarily being sought by the company.

Thirty-five companies are now provided with stationary bar photometers for use in testing the candle-power of the gas supplied by them. Most of these instruments are so located as to be serviceable to the State in its inspection work in place of the portable photometers otherwise used. The work of inspecting and adjusting these stationary photometers and their appurtenances to standard conditions has been continued.

The results of the tests of gas are given in the following tables:

TABLE I, showing number of tests made in each municipality, kind of gas tested, the number of tests showing the gas to be within the requirements prescribed by law, the number showing deficiencies, and the number of times the gas was found deficient in each particular as to candle-power and impurities. The presence of hydrogen sulphide in gas is prohibited by law.

Municipality supplied.	Kind of gas.	Number of tests.	NUMBER TESTS SHOWING—		DEFICIENCIES.			
			Gas to be within requirement prescribed by law.	Deficiencies, either as to candle-power, impurities, or both.	Candle-power below standard.	Impurities.—		
						Excessive sulphur.	Excessive ammonia.	Presence of sulphurated hydrogen.
Albany.....	water.	25	21	4	4	0	0	0
Albion.....	coal.	4	3	1	3	0	0	0
Amsterdam.....	coal.	6	3	3	0	0	0	0
Auburn.....	mixed.	5	4	1	1	0	0	0
	coal.	14	11	3	2	1	0	0
Batavia.....	water.	2	1	1	1	0	0	1
Bath.....	coal.	4	3	1	1	0	0	0
Bay Shore.....	water.	7	7	0	0	0	0	0
Binghamton.....	mixed.	10	10	0	0	0	0	0
	water.	8	8	0	0	0	0	0
Brockport.....	coal.	5	2	3	0	0	0	3
Buffalo.....	coal.	26	24	2	2	0	0	0
Canandaigua.....	coal.	4	3	1	1	0	0	0
Canastota.....	water.	5	0	5	5	0	0	0
Catskill.....	coal.	5	1	4	0	2	0	4
Clifton Springs.....	water.	5	0	5	2	0	0	5
Cohoes.....	water.	8	7	1	0	0	0	1
Cooperstown.....	coal.	4	1	3	1	0	0	2
Corning.....	coal.	5	0	5	5	1	0	0
Cortland.....	coal.	7	0	7	7	0	0	0
Dansville.....	water.	4	3	1	1	0	0	1
East Rockaway.....	water.	2	2	0	0	0	0	0
Elmira.....	coal.	8	5	3	3	0	0	0
Fishkill.....	water.	5	2	3	3	0	0	0
Fort Plain.....	water.	5	1	4	2	0	0	3
Fredonia.....	coal.	4	1	3	1	1	0	2
Fulton.....	coal.	6	1	5	5	1	0	1
Geneseo.....	coal.	4	2	2	0	2	0	0
Geneva.....	coal.	12	7	5	4	1	0	0
Glens Falls.....	coal.	7	2	5	5	3	0	0
Goshen.....	coal.	5	1	4	1	1	0	4
Granville.....	water.	4	3	1	1	0	0	0
Haverstraw.....	water.	4	0	4	4	2	0	4
Hempstead.....	water.	6	5	1	1	0	0	0
Herkimer.....	water.	6	1	5	5	0	0	0
Hoosick Falls.....	coal.	4	1	3	3	0	1	1
Hudson.....	coal.	6	6	0	0	0	0	0
Huntington.....	water.	4	2	2	1	0	0	1
Ithaca.....	coal.	9	1	8	8	0	3	0
Johnstown.....	water.	13	10	3	3	0	0	0
Kingston.....	coal.	9	6	3	3	1	0	0
LeRoy.....	coal.	2	0	2	0	0	0	2
Little Falls.....	coal.	5	0	1	1	0	0	0
	mixed.	1	1	0	0	0	0	0
Lockport.....	coal.	8	3	5	4	1	2	0
Lynbrook.....	water.	2	1	1	1	0	0	0
Lyons.....	coal.	4	2	2	2	0	0	0
Malone.....	coal.	4	2	2	2	0	0	1
Mechanicville.....	water.	4	1	3	3	0	0	0
Medina.....	coal.	4	3	1	1	0	0	0
Middletown.....	water.	6	6	0	0	0	0	0
Mount Vernon.....	water.	27	25	2	3	0	0	3
Newark.....	coal.	5	2	3	1	0	0	0

TABLE I (concluded).

Municipality supplied.	Kind of gas.	Number of tests.	NUMBER TESTS SHOWING—		DEFICIENCIES.			Impurities.	
			Gas to be within requirement prescribed by law.	Deficiencies, either as to candle-power, impurities, or both.	Candle-power below standard.	Impurities.			
						Excessive sulphur.	Excessive ammonia.		
Newburgh.....	water.	11	4	7	7	0	0	1	
Niagara Falls.....	coal.	8	1	7	6	1	0	0	
Norwich.....	water.	4	0	2	0	0	0	4	
Nyack.....	water.	6	6	0	0	0	0	0	
Ogdensburg.....	coal.	6	3	3	3	0	0	0	
Oneida.....	coal.	7	2	5	3	1	0	1	
Oneonta.....	water.	4	0	4	0	0	0	4	
Ossining.....	water.	6	4	2	2	0	0	0	
Oswego.....	coal.	7	2	5	0	0	3	0	
Owego.....	coal.	4	1	3	0	0	0	0	
Palmyra.....	coal.	4	4	0	0	0	0	0	
Patchogue.....	water.	4	3	1	1	0	0	0	
Peekskill.....	water.	7	7	0	0	0	0	0	
Penn Yan.....	coal.	5	1	4	0	0	0	0	
Plattsburgh.....	water.	7	5	2	2	0	0	0	
Port Chester.....	water.	1	1	0	0	0	0	0	
Port Henry.....	water.	4	3	1	0	0	0	1	
Port Jervis.....	water.	6	3	3	3	0	0	1	
Poughkeepsie.....	water.	13	12	1	0	0	0	0	
Rensselaer.....	coal.	4	2	2	2	1	0	0	
Rochester.....	mixed.	26	23	23	20	1	0	0	
Rockville Center.....	water.	1	1	0	0	0	0	0	
Rome.....	coal.	9	1	8	8	0	0	0	
Sag Harbor.....	water.	6	3	3	3	0	0	2	
Sandy Hill.....	coal.	4	0	4	4	0	0	0	
Saratoga.....	water.	9	7	2	2	0	0	1	
Saugerties.....	coal.	5	0	5	4	0	0	0	
Schenectady.....	water.	18	9	9	9	0	0	0	
	mixed.	4	0	4	4	0	0	0	
Sea Cliff.....	water.	5	2	3	3	0	0	0	
Seneca Falls.....	coal.	7	4	3	2	1	0	0	
Suffern.....	water.	5	2	3	3	0	0	3	
Syracuse.....	mixed.	26	21	5	5	0	0	0	
Tarrytown.....	water.	10	9	2	2	0	0	0	
Tonawanda.....	coal.	7	7	0	0	0	0	0	
Troy.....	water.	26	21	5	5	0	0	0	
Utica.....	water.	24	15	9	9	0	0	0	
Wappingers Falls.....	coal.	4	4	0	0	0	0	0	
Warsaw.....	water.	4	1	3	2	1	0	2	
Watertown.....	coal.	9	4	5	3	3	0	0	
	mixed.	2	1	1	1	0	0	0	
Waterville.....	water.	4	1	3	0	0	0	3	
Watkins.....	coal.	4	4	0	0	0	0	0	
Waverly.....	water.	4	2	2	2	0	0	0	
White Plains.....	water.	10	8	2	1	1	0	1	
Yonkers.....	water.	26	20	6	4	2	0	0	

TABLE II, showing the number of tests made in each municipality, and the highest, lowest, and average candle-power as determined by the tests, the legal candle-power being for water gas 20; for mixed gas 18, and for coal gas 16:

Municipality.	Number of tests.	Kind of gas.	CANDLE-POWER.		
			Highest.	Lowest.	Average.
Albany.....	25	water.....	22.7	18.6	21.1
Albion.....	4	coal.....	18.4	15.6	17.5
Amsterdam.....	6	coal.....	17.8	15.2	16.4
	5	mixed.....	19.3	17.4	18.2
Auburn.....	14	coal.....	18.2	15.6	16.8
Batavia.....	2	water.....	21.0	16.1	18.5
Bath.....	4	coal.....	18.8	13.5	16.6
Bay Shore.....	7	water.....	21.9	20.3	21.0
Binghamton.....	10	mixed.....	25.3	18.2	20.4
	8	water.....	21.7	20.0	20.6
Brockport.....	5	coal.....	18.9	16.2	17.2
Buffalo.....	26	coal.....	19.4	15.5	17.6
Canandaigua.....	4	coal.....	17.6	14.1	16.0
Canastota.....	5	water.....	16.6	10.4	12.8
Catskill.....	5	coal.....	18.3	16.2	16.9
Clifton Springs.....	5	water.....	24.2	19.4	20.8
Cohoes.....	8	water.....	28.4	21.3	25.8
Cooperstown.....	4	coal.....	16.4	15.1	15.9
Corning.....	5	coal.....	15.3	14.2	14.6
Cortland.....	7	coal.....	15.9	13.7	14.7
Dansville.....	4	water.....	22.1	19.7	21.1
East Rockaway.....	2	water.....	22.8	21.7	22.2
Elmira.....	8	coal.....	18.0	14.9	16.3
Fishkill.....	5	water.....	20.5	18.2	19.5
Fort Plain.....	5	water.....	23.9	14.6	19.8
Fredonia.....	4	coal.....	18.6	14.9	16.7
Fulton.....	6	coal.....	17.2	11.1	13.2
Geneseo.....	4	coal.....	17.0	16.3	16.5
Geneva.....	12	coal.....	17.7	13.9	16.2
Glens Falls.....	7	coal.....	18.3	8.1	13.6
Goshen.....	5	coal.....	18.6	16.1	17.5
Granville.....	4	water.....	23.4	18.4	20.7
Haverstraw.....	4	water.....	19.4	15.7	17.7
Hempstead.....	6	water.....	22.2	19.7	20.9
Herkimer.....	6	water.....	21.5	16.5	19.1
Hoosick Falls.....	4	coal.....	16.1	13.3	14.8
Hudson.....	6	coal.....	16.9	16.0	16.4
Huntington.....	4	water.....	20.8	19.6	20.2
Ithaca.....	9	coal.....	16.6	14.0	15.0
Johnstown.....	13	water.....	23.8	16.1	20.9
Kingston.....	9	coal.....	17.1	10.5	15.0
LeRoy	2	coal.....	18.3	17.8	18.0
Little Falls.....	1	water.....	17.4	17.4	17.4
	5	coal.....	17.4	15.9	17.0
	1	mixed.....	18.4	18.4	18.4
Lockport.....	8	coal.....	17.3	13.0	15.6
Lynbrook.....	2	water.....	20.7	19.9	20.3
Lyons.....	4	coal.....	17.9	13.0	16.0
Malone.....	4	coal.....	17.1	14.7	16.0
Mechanicville.....	4	water.....	20.1	14.2	16.2
Medina.....	4	coal.....	17.7	14.7	16.6
Middletown.....	6	water.....	26.7	21.5	24.3
Mount Vernon.....	27	water.....	23.1	18.2	21.4
Newark.....	5	coal.....	18.8	14.9	16.7
Newburgh.....	11	water.....	21.7	16.2	19.4
Niagara Falls.....	8	coal.....	16.2	8 -	14.1
Norwich.....	4	water.....	22.1	17.5	20.1
Nyack.....	6	water.....	22.0	20.7	21.2
Ogdensburg.....	6	coal.....	16.9	12.8	15.5
Oneida.....	7	coal.....	17.3	14.6	16.0

TABLE II (*concluded*).

Municipality.	Number of tests.	Kind of gas.	CANDLE-POWER.		
			Highest.	Lowest.	Average.
Oneonta.....	4	water.....	20.9	19.9	20.3
Ossining.....	6	water.....	20.8	17.6	20.0
Oswego.....	7	coal.....	18.6	12.3	15.1
Owego.....	4	coal.....	19.6	18.9	19.2
Palmyra.....	4	coal.....	18.1	16.1	17.0
Patchogue.....	4	water.....	20.8	19.7	20.2
Peekskill.....	7	water.....	21.9	20.1	20.9
Penn Yan.....	5	coal.....	17.0	12.4	14.6
Plattsburgh.....	7	water.....	25.1	19.8	22.3
Port Chester.....	1	water.....	20.6	20.6	20.6
Port Henry.....	4	water.....	32.8	24.8	27.6
Port Jervis.....	6	water.....	20.3	19.2	19.9
Poughkeepsie.....	13	water.....	23.7	19.7	21.6
Remselaer.....	4	coal.....	18.1	15.2	15.7
Rochester.....	26	mixed.....	23.9	19.2	20.8
Rockville Center.....	1	water.....	20.1	20.1	20.1
Rome.....	9	coal.....	17.9	8.3	12.8
Sag Harbor.....	6	water.....	20.3	19.6	20.0
Sandy Hill.....	4	coal.....	15.3	10.0	13.3
Saratoga.....	9	water.....	25.7	18.5	21.3
Saugerties.....	5	coal.....	18.2	14.5	15.4
Schenectady.....	{	water.....	23.0	14.9	19.3
Sea Cliff.....		mixed.....	17.2	12.0	14.6
Seneca Falls.....		water.....	21.0	19.3	20.0
Troy.....		coal.....	17.1	15.8	16.3
Suffern.....	5	water.....	20.4	17.6	19.5
Syracuse.....	26	mixed.....	24.7	12.8	19.4
Tarrytown.....	10	water.....	22.0	16.3	20.6
Tonawanda.....	7	coal.....	20.0	16.1	17.5
Troy.....	26	water.....	25.5	18.0	21.5
Utica.....	24	water.....	25.5	14.5	20.3
Wappingers Falls.....	4	coal.....	17.8	16.2	16.8
Warsaw.....	4	water.....	25.4	18.9	20.9
Watertown.....	{	coal.....	20.5	11.7	16.6
Waterville.....		mixed.....	24.3	16.9	20.6
Watkins.....	4	water.....	24.3	18.5	22.2
Waverly.....	4	coal.....	18.1	16.7	17.4
White Plains.....	10	water.....	25.6	19.4	22.8
Yonkers.....	26	water.....	24.2	17.5	21.7

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TABLE III, showing the number of tests made in each municipality, the highest, lowest, and average quantity of sulphur and ammonia found. The standards prescribed by law are: A maximum of 20 grains of sulphur and 10 grains of ammonia.

Municipality.	Number of Tests.	Kind of Gas.	GR. PER 100 CU. FT. OF GAS.				
			SULPHUR.			AMMONIA.	
			Highest.	Lowest.	Average.	Highest.	Lowest.
Albany.....	25	water..	11.9	4.5	7.0	1 -	1 -
Albion.....	4	coal..	13.8	9.8	11.8	3.6	1.7
Amsterdam.....	6	coal..	16.1	6.5	11.5	1 -	1 -
	5	mixed..	16.0	12.0	14.1	1.4	1 -
Auburn.....	14	coal..	23.3	4.8	9.8	1 -	1 -
Batavia.....	2	water..	11.1	5.9	8.5	1 -	1 -
Bath.....	4	coal..	14.8	5.6	12.1	1 -	1 -
Bay Shore.....	7	water..	14.2	4.1	9.7	1 -	1 -
Binghamton.....	10	mixed..	10.7	5.9	7.9	1 -	1 -
	8	water..	16.0	3.9	9.1	1 -	1 -
Brockport.....	5	coal..	14.3	4.5	10.0	1 -	1 -
Buffalo.....	26	coal..	17.1	3.0	9.9	1.7	1 -
Canandaigua.....	4	coal..	15.5	10.2	13.0	1 -	1 -
Canastota.....	5	water..	12.6	6.1	9.4	1 -	1 -
Catskill.....	5	coal..	26.3	12.5	17.2	4.3	1 -
Clifton Springs.....	5	water..	24.9	16.2	21.8	1 -	1 -
Cohoes.....	8	water..	12.6	1.7	5.9	1 -	1 -
Cooperstown.....	4	coal..	12.3	8.4	10.5	1 -	1 -
Corning.....	5	coal..	22.9	3.4	13.5	1 -	1 -
Cortland.....	7	coal..	19.2	7.9	13.7	1.3	1 -
Danville.....	4	water..	8.9	3.2	6.1	1 -	1 -
East Rockaway.....	2	water..	9.9	9.9	9.9	1 -	1 -
Elmira.....	8	coal..	16.2	3.2	9.9	1 -	1 -
Fishkill.....	5	water..	8.2	6.1	7.0	1 -	1 -
Fort Plain.....	5	water..	15.6	5.0	12.3	1 -	1 -
Frederica.....	4	coal..	23.0	6.2	10.9	1 -	1 -
Fulton.....	6	coal..	20.1	4.7	13.0	3.1	1 -
Geneseo.....	4	coal..	23.2	5.4	15.1	1 -	1 -
Geneva.....	12	coal..	23.5	4.2	11.0	1 -	1 -
Glens Falls.....	7	coal..	29.0	8.8	16.7	1 -	1 -
Goshen.....	5	coal..	22.8	5.4	14.5	1 -	1 -
Granville.....	4	water..	7.2	4.1	5.8	1 -	1 -
Haverstraw.....	4	water..	28.3	10.8	20.0	1 -	1 -
Hempstead.....	6	water..	9.7	4.0	6.7	1 -	1 -
Herkimer.....	6	water..	19.3	4.3	9.0	1 -	1 -
Hoosick Falls.....	4	coal..	15.8	5.3	10.2	20.9	1 -
Hudson.....	6	coal..	19.8	7.5	14.4	1 -	1 -
Huntington.....	4	water..	12.3	4.8	9.4	1 -	1 -
Ithaca.....	9	coal..	16.1	4.4	9.3	28.1	1 -
Johnstown.....	13	water..	12.5	2.9	7.7	1 -	1 -
Kingston.....	9	coal..	20.5	7.2	13.0	1 -	1 -
LeRoy.....	2	coal..	19.1	9.3	14.2	1.6	1 -
Little Falls.....	1	mixed..	12.0	12.0	12.0	1 -	1 -
	5	coal..	13.5	7.0	9.3	1 -	1 -
Lockport.....	8	coal..	23.2	5.1	12.4	13.0	1 -
Lynbrook.....	2	water..	8.3	5.1	6.7	1 -	1 -
Lyons.....	4	coal..	13.0	8.4	10.4	3.2	1 -
Malone.....	4	coal..	13.4	6.0	9.3	1 -	1 -
Mechanicville.....	4	water..	14.2	4.1	9.2	1 -	1 -
Medina.....	4	coal..	11.6	7.8	10.2	8.5	1.2
Middletown.....	6	water..	9.2	5.6	7.2	1 -	1 -
Mount Vernon.....	27	water..	11.4	5.9	7.9	1 -	1 -
Newark.....	5	coal..	16.5	4.8	11.4	1 -	1 -
Newburgh.....	11	water..	18.7	6.0	10.9	1 -	1 -
Niagara Falls.....	8	coal..	24.5	6.5	13.8	1 -	1 -
Norwich.....	4	water..	14.8	4.3	9.4	1 -	1 -
Nyack.....	6	water..	10.1	7.1	8.6	1 -	1 -
Ogdensburg.....	6	coal..	12.4	6.6	10.5	2.9	1 -

TABLE III (*concluded*).

Municipality.	Number of Tests.	Kind of Gas.	Gr. PER 100 CU. FT. OF GAS.				
			SULPHUR.			AMMONIA.	
			Highest.	Lowest.	Average.	Highest.	Lowest.
Oneida.....	7	coal....	21.9	5.6	14.7	1 -	1 -
Oneonta.....	4	water..	9.3	5.3	7.0	1 -	1 -
Ossining.....	6	water..	13.4	5.3	8.2	1 -	1 -
Oswego.....	7	coal....	17.9	3.9	10.4	1.5	1 -
Owego.....	4	coal....	16.9	5.1	9.2	20.4	2.8
Palmyra.....	4	coal....	10.4	4.9	8.1	7.8	2.1
Patchogue.....	4	water..	14.3	8.0	11.2	1 -	1 -
Peekskill.....	7	water..	11.0	5.1	7.1	1 -	1 -
Penn Yan.....	5	coal....	19.3	4.8	9.8	1 -	1 -
Plattsburgh.....	7	water..	12.5	3.8	6.5	1 -	1 -
Port Chester.....	1	water..	8.1	8.1	8.1	1 -	1 -
Port Henry.....	4	water..	4.2	2.3	3.3	1 -	1 -
Port Jervis.....	6	water..	17.6	7.9	12.0	1 -	1 -
Poughkeepsie.....	13	water..	13.4	5.4	8.3	1 -	1 -
Rensselaer.....	4	coal....	24.0	4.5	12.5	1 -	1 -
Rochester.....	26	mixed..	21.1	3.0	8.8	1 -	1 -
Rockville Center.....	1	water..	9.3	9.3	9.3	1 -	1 -
Rome.....	9	coal....	16.1	7.6	12.0	5.7	1 -
Sag Harbor.....	6	water..	13.2	5.8	10.0	1 -	1 -
Sandy Hill.....	4	coal....	18.6	13.5	16.4	1 -	1 -
Saratoga.....	9	water..	15.0	4.8	9.8	1 -	1 -
Saugerties.....	5	coal....	17.5	9.3	14.1	1 -	1 -
Schenectady.....	{ 18	water..	17.8	3.1	6.8	2.7	1 -
Sea Cliff.....	4	mixed..	12.6	5.6	8.6	1 -	1 -
	5	water..	10.6	4.4	8.2	1 -	1 -
Seneca Falls.....	7	coal....	26.8	5.8	12.2	1 -	1 -
Suffern.....	5	water..	16.0	10.3	12.9	1 -	1 -
Syracuse.....	26	mixed..	16.5	4.2	10.0	1 -	1 -
Tarrytown.....	10	water..	13.0	5.0	7.5	1 -	1 -
Tonawanda.....	7	coal....	18.5	3.8	11.0	1 -	1 -
Troy.....	26	water..	17.3	3.1	6.8	1 -	1 -
Utica.....	24	water..	15.6	3.4	8.2	1 -	1 -
Wappingers Falls.....	4	coal....	19.6	10.6	15.5	1 -	1 -
Warsaw.....	4	water..	23.2	2.9	12.0	1 -	1 -
Watertown.....	{ 9	coal....	26.4	10.6	17.2	1 -	1 -
	2	mixed..	16.8	15.0	15.9	1.5	1 -
Waterville.....	4	water..	18.5	4.6	11.8	1 -	1 -
Watkins.....	4	coal....	10.8	3.9	6.9	1 -	1 -
Waverly.....	4	water..	10.2	2.9	7.8	1 -	1 -
White Plains.....	10	water..	21.5	6.5	11.9	1 -	1 -
Yonkers.....	26	water..	23.4	5.5	10.0	1 -	1 -

TABLE IV, showing the number of tests made in each municipality, and the highest, lowest and average pressure of the gas in each obtaining at the time of test:

Municipality.	Kind of gas.	Number of tests.	PRESSURE IN INCHES OF WATER.		
			Highest.	Lowest.	Average.
Albany.....	water.....	25	5.2	2.9	4.0
Albion.....	coal.....	4	4.1	3.0	3.4
Amsterdam.....	coal.....	11	3.2	2.1	2.5
Auburn.....	mixed.....	14	3.4	2.7	3.0
	coal.....				
Batavia.....	water.....	2	2.4	2.3	2.3
Bath.....	coal.....	4	3.3	2.3	2.9
Bay Shore.....	water.....	7	2.9	2.7	2.8
Binghamton.....	mixed.....	18	4.0	2.0	3.0
	water.....				
Brockport.....	coal.....	5	3.4	3.0	3.2
Buffalo.....	coal.....	26	2.9	1.6	1.9
Canandaigua.....	coal.....	4	3.1	2.7	2.9
Canastota ¹	water.....	5	2.9	2.4	2.6
Catskill.....	coal.....	5	2.4	1.8	2.2
Clifton Springs.....	water.....	5	2.8	2.1	2.5
Cohoes.....	water.....	8	2.8	2.1	2.5
Cooperstown.....	coal.....	4	2.8	1.8	2.2
Corning.....	coal.....	5	2.4	2.1	2.2
Cortland.....	coal.....	7	2.8	1.9	2.4
Dansville.....	water.....	4	2.8	2.7	2.7
East Rockaway.....	water.....	2	2.6	2.5	2.5
Elmira.....	coal.....	8	2.5	2.1	2.3
Fishkill.....	water.....	5	3.5	2.6	2.9
Fort Plain.....	water.....	5	3.2	2.6	2.9
Fredonia.....	coal.....	4	2.7	2.2	2.5
Fulton.....	coal.....	6	3.7	2.9	3.3
Genesee.....	coal.....	4	6.0	4.0	4.6
Geneva.....	coal.....	12	3.2	2.1	2.7
Glens Falls.....	coal.....	7	3.5	2.7	3.0
Goshen.....	coal.....	5	2.9	2.1	2.5
Granville.....	water.....	4	2.9	2.5	2.7
Haverstraw.....	water.....	4	2.9	2.6	2.7
Hempstead.....	water.....	6	3.0	2.4	2.8
Herkimer.....	water.....	6	3.9	2.4	2.9
Hoosick Falls.....	coal.....	4	2.8	2.4	2.5
Hudson.....	coal.....	6	2.9	2.4	2.5
Huntington.....	water.....	4	3.4	3.0	3.1
Ithaca.....	coal.....	9	3.0	2.3	2.6
Johnstown.....	water.....	13	3.0	1.8	2.4
Kingston.....	coal.....	9	2.9	2.4	2.7
LeRoy.....	coal.....	2	3.1	3.1	3.1
Little Falls.....	water.....	6	4.0	3.0	3.5
	mixed.....				
Lockport.....	coal.....	8	4.6	2.7	3.4
	coal.....				
Lynbrook.....	water.....	2	2.4	2.4	2.4
Lyons.....	coal.....	4	2.8	2.7	2.7
Malone.....	coal.....	4	2.2	2.1	2.1
Mechanicville.....	water.....	4	3.6	2.9	3.1
Medina.....	coal.....	4	2.3	1.9	2.0
Middletown.....	water.....	6	3.1	2.8	2.9
Mount Vernon.....	water.....	27	2.9	2.0	2.4
Newark.....	coal.....	5	2.8	2.0	2.4
Newburgh.....	water.....	11	2.9	2.3	2.5
Niagara Falls.....	coal.....	8	3.7	2.9	3.5
Norwich.....	water.....	4	2.8	2.7	2.7
Nyack.....	water.....	6	2.6	2.1	2.4
Ogdensburg.....	coal.....	6	2.1	1.9	1.9
Oneida.....	coal.....	7	2.4	1.8	2.1
Oneonta.....	water.....	4	3.7	2.9	3.4
Ossining.....	water.....	6	3.1	1.9	2.7
Oswego.....	coal.....	7	2.8	2.2	2.5
Owego.....	coal.....	4	2.4	2.1	2.2

TABLE IV (*concluded*).

Municipality.	Kind of gas.	Number of tests.	PRESSURE IN INCHES OF WATER.		
			Highest.	Lowest.	Average
Palmyra.....	coal.....	4	8.0	4.2	5.2
Patchogue.....	water.....	4	2.9	2.4	2.6
Peekskill.....	water.....	7	3.0	2.7	2.9
Penn Yan.....	coal.....	5	3.1	2.7	2.9
Plattsburgh.....	water.....	7	3.5	2.6	3.0
Port Chester.....	water.....	1	2.4	2.4	2.4
Port Henry.....	water.....	4	2.2	1.8	1.9
Port Jervis.....	water.....	6	3.1	1.9	2.6
Poughkeepsie.....	water.....	13	3.9	2.5	2.8
Rensselaer.....	coal.....	4	4.0	2.1	3.0
Rochester.....	mixed.....	26	4.2	2.0	3.0
Rockville Center.....	water.....	1	3.0	3.0	3.0
Rome.....	coal.....	9	3.7	3.0	3.1
Sag Harbor.....	water.....	6	2.7	2.3	2.5
Sandy Hill.....	coal.....	4	5.0	3.8	4.1
Saratoga.....	water.....	9	3.8	2.3	2.7
Saugerties.....	coal.....	5	4.0	2.8	3.8
Schenectady.....	water.....	{ } 22	3.1	2.1	2.6
Sea Cliff.....	mixed.....		2.9	2.9	2.6
Seneca Falls.....	water.....	5	3.3	2.5	3.0
Suffern.....	water.....	5	3.1	2.8	2.9
Syracuse.....	mixed.....	26	3.1	1.8	2.3
Tarrytown.....	water.....	10	2.9	2.0	2.4
Tonawanda.....	coal.....	7	2.8	2.3	2.5
Troy.....	water.....	26	2.8	1.7	2.1
Utica.....	water.....	24	3.1	1.6	2.6
Wappingers Falls.....	coal.....	4	2.9	1.8	2.3
Warsaw.....	water.....	4	2.2	1.8	1.9
Watertown.....	coal.....	{ } 11	3.6	2.1	2.5
Waterville.....	mixed.....		2.4	2.3	2.3
Watkins.....	coal.....	4	2.3	1.8	2.0
Waverly.....	water.....	4	2.8	2.2	2.5
White Plains.....	water.....	10	2.8	1.8	2.1
Yonkers.....	water.....	26	2.6	2.3	2.5

¹ High pressure line.

TABLE V, showing comparative results of inspections of coal gas, mixed gas, and water gas:

Inspections.	COAL GAS.		MIXED GAS.		WATER GAS.	
	Number.	Per cent. of total.	Number.	Per cent. of total.	Number.	Per cent. of total.
Total number.....	284	.....	74	.....	378	.....
Showing gas at standard.....	140	49.3	60	81.1	255	67.5
Showing deficiencies.....	144	50.7	14	18.9	123	32.5
Showing deficiencies in candle-power.....	110	38.7	11	14.9	107	28.3
Showing presence of H ₂ S.....	25	8.8	.....	.....	38	10.1
Showing excessive presence of S ₂	22	7.7	1	1.4	8	2.1
Showing excessive presence of NH ₃	9	3.2	.....	.....	.....	.....

Gas Meter Tests. — Section 67 of the Public Service Commissions Law provides that no corporation or person shall furnish

or put in use any gas meter which shall not have been inspected, approved, and sealed by an inspector of the Commission. This includes not only new meters, but meters removed from a customer's premises for any cause whatsoever and put in service again. Every such meter is separately tested by the meter men of the department, who are assigned to headquarters in different sections of the State. The system of inspection requires the companies to make written requisition to the Commission for the service of an inspector. These requisitions are received at the main office in Albany, from where the assignments of work are sent out to the men. Tests conducted at the plants of the companies are made with standard meter provers owned by the companies and inspected and approved by the Commission. A large percentage of the meters, particularly new meters, are tested at the meter manufacturing plants within the State, where also approved standards are used. A few meters are sent in by the smaller companies not provided with proving apparatus, to the Commission's laboratory in Albany to be verified.

The inspection work has been so organized that it operates with little or no delay to the prompt installation of meters by companies in response to the demand by consumers. Six men have been engaged throughout the entire year, and one additional man has been employed since March, 1908. They receive assistance in their work, when required, from four assistant inspectors of gas.

All gas companies are required in section 67 of the Public Service Commissions Law to provide suitable apparatus, in other words, gas meter provers, on their premises with which the meters furnished by them to their customers may be tested. It has been found by some of the smallest plants impracticable, for commercial reasons, to purchase these instruments, and the Commission in such cases has consented for the time being to a postponement of compliance with this requirement. Most of the companies, however, have secured provers and have submitted them to inspection by the Commission. During the year 54 provers were tested; 52 of which were approved, and 2 rejected. There are now 90 companies under the supervision of the Commission having on their premises one or more gas meter provers inspected and approved by the Commission, and it is with these standard

instruments that the gas meters furnished by the companies are tested by the department's inspectors.

A total number of 103,236 gas meters were tested for the year, of which 99,065 were verified as correct within the 2 per cent. limit of error allowed by law, and 4171 were rejected as incorrect or condemned as unfit for use.

Of the correct meters, 25,830 were inspected for natural gas companies, and 73,235 for artificial gas companies. The repaired or removed meters numbered 72,428, and the new meters 26,637.

The following table summarizes the results as to the numbers of meters found fast or slow within and without the 2 per cent. error of limit allowed by law, and the average and maximum percentage of registration:

METERS.	FAST.			SLOW.			100 % COR-RECT.	UN-SOUND.
	No.	Aver-age %.	Maxi-mum %.	No.	Aver-age %.	Maxi-mum %.		
Within 2 % error.....	23,305	0.94	50	53,978	1.09	84	21,782	451
Without 2 % error....	2,045	4.04	.....	1,875	5.63	.....	.....	.....

Complaints Against Gas Meters.—Upon complaints of consumers, 271 gas meters were tested. Of these, 150, or 55.4 per cent., were found to be correct within the limit of 2 per cent. error allowed by law; and 121, or 44.6 per cent., were found to be incorrect.

Of these 121 incorrect meters, 94 were found to register 2 per cent. or more fast to the prejudice of the consumer; and 26 were found 2 per cent. or more slow, or against the company; one meter failed to register.

Of the 94 meters incorrect to the prejudice of the consumer, 27 were 2 per cent. fast; 27 were 3 per cent. fast; 20 were 4 per cent. fast; 12 were 5 per cent. fast; 7 were 6 per cent. fast; and 1 was 9 per cent. fast.

Of the 26 meters registering 2 per cent. or more against the company, 11 were 2 per cent. slow; 2 were each 3 per cent. and 4 per cent. slow, respectively; 4 were 5 per cent. slow; 3 were 6 per cent. slow; 1 was 7 per cent. slow; 1 was 8 per cent. slow;

1 was 12½ per cent. slow; 1 was 17 per cent. slow; 1 was 22 per cent. slow; and one was 43 per cent. slow.

Tests of Burners.—A detailed study has been made of the relative merits of the New F and Old D Argand, and the No. 7 Slit Union Bray, burners as standards for use in determining the candle-power of gas. The object of the investigation is to determine the standard burner best adapted to the determination of the candle-power of different kinds of gas.

Chapter 557 of the laws of 1907, being an act fixing standards of purity, illuminating power, and pressure of gas in cities of the second class, prescribes that "the test for illuminating power shall be made . . . using, for coal gas and mixed coal and water gas containing more than 50 per centum of coal gas, an F Argand burner; and for mixed coal and water gas containing 50 per centum and less of coal gas, and for carburetted water gas, a No. 7 Slit Union Bray burner, on a basis of consumption of five cubic feet of gas per hour".

The results of this investigation show that in many cases the burners prescribed by law will not give the real candle-power of the gas under test, because it will not give the entire candle-power. This means that, restricted to the use of such burners, gas in certain instances may be reported as being below the legal candle-power standard, whereas if the burner best adapted to the gas were used, the gas may be found to comply with the legal requirements. In all, 115 tests were made of the burners specified by law to be used; 86 of these tests were with water gas, and in only 29 of them, or less than 34 per cent. of the total, were the best results obtained from these burners; 29 of the tests were with coal gas, and in 15 of them, or about 50 per cent., the legal burners proved the most satisfactory. In the remaining tests, both with water gas and coal gas, the candle-power obtained in the use of these burners was inferior to that given by some other standard burner.

Investigation has also been made of a number of tips or burners sold or distributed in the State to consumers of gas. Some of these patent tips are on the market under extravagant claims as to their candle-power efficiency and economy. The tests of the candle-power given with these tips have been made at varying pressures and rates of flow of gas. The rate of flow at which the tips give warning of improper conditions by blowing or fingering,

and the cost per candle-power resulting from their use, have been noted, and the results are summarized in the tables given below.

These tests were made with water gas, and the results are applicable to the burners with which the tests were made only when used with that kind of gas. This line of investigation is being continued to determine the best type of burner for general house lighting where coal gas and mixed coal and water gas are supplied.

TABLE I, in which is shown the relative light producing efficiency of different makes of burners under pressures of 1 inch, 3 inches, and 5 inches, with gas flowing at the rate of 5 cubic feet per hour; also the cubic feet per hour of consumption, with the outlet wide open, at pressures of 1 inch, 3 inches, and 5 inches.

The generally accepted standard burner for water gas is the No. 7 Slit Union Bray, and it is so used in this table, where at the 1-inch pressure its efficiency is arbitrarily given as 1000. The relative efficiency of, for instance, the 20th Century burner at 3-inch pressure is thus shown to be 655 thousandths that of the standard.

BURNER.	EFFICIENCY AT 5 FEET RATE AND PRESSURE OF			CUBIC FEET PER HOUR CONSUMPTION AT OPEN OUTLET AND AT PRESSURE OF		
	1 inch.	3 inch.	5 inch.	1 inch.	3 inch.	5 inch.
No. 7 Slit Union Bray.....	1000	955	1008	6.70	11.64	1
Gas Governor, Aluminum tip.....	861	858	913	4.86	8.33	11.50
No. 7 Union Jet Bray.....	951	920	944	4.29	7.00	9.34
3-foot Steel tip.....	534	511	587	5.44	10.24	.....
3-foot American E. H. lava tip.....	649	659	678	6.16	10.89	.....
20th Century.....	723	655	643	4.54	9.15	11.65
Stewart Jumbo slit valve.....	936	968	942	4.6	8.3	10.7
Stewart Jumbo needle valve.....	895	970	981	3.1	5.6	6.7
Stewart Jumbo, with screen.....	912	947	930	7.1	14.5	17.5

¹ Not taken, as blew too badly to consider that any one would use it at that rate.

² At 4.4 inches. *At 4-inch pressure.

TABLE II, in which is shown the relative cost of equivalent service in the use of these same burners; also the pressure in inches at which the burner by blowing gives warning of excessive consumption of gas, and the cubic feet of gas being consumed per hour at that point.

In this table the No. 7 Slit Union Bray burner is again taken as standard, and at 1-inch pressure. The cost of service for comparative purposes is arbitrarily given as \$1.

BURNER.	RELATIVE COST OF EQUIVALENT SERVICE.			WARNING GIVEN AT	
	1 inch.	3 inch.	5 inch.	Pressure, inches.	Rate per hour, feet.
No. 7 Slit Union Bray.....	\$1.00	\$1.05	\$0.99	2.4	10.27
Gas Governor, Aluminum tip.....	1.16	1.17	1.10	.....	.....
No. 7 Union Jet Bray.....	1.05	1.09	1.06	4.0	7.90
3-foot Steel tip.....	1.87	1.96	1.70	3.0	9.08
3-foot American E. H. lava tip.....	1.54	1.52	1.47	2.0	8.60
20th Century.....	1.42	1.53	1.54	1	.....
Stewart Jumbo slit valve.....	1.07	1.03	1.05	1	.....
Stewart Jumbo needle valve.....	1.11	1.03	1.02	1	.....
Stewart Jumbo, with screen.....	1.10	1.06	1.08	4.7	17.2

¹ Does not blow at all at 5-inch pressure.

² Blows at this rate, fingers a little before this.

The price of none of these burners exceeds 10 cents each.

An examination of the comparative results given in the above tables shows that the No. 7 Union Jet Bray (marketed under the name of "H. P. Bray's Special No. 7") is best adapted to use with water gas. This conclusion is reached from a study of all the various factors which enter into the ideal burner. In the first place, the relative cost of equivalent service is less with the Union Jet than with that of any of the other burners tested, with the exception of the No. 7 Slit Bray, and the Stewart Jumbo with slit valve. The Union Jet is superior for general use to the first of these, however, because at 4 in. pressure it only consumes 7.9 cubic feet of gas before giving warning that it is working improperly, while the No. 7 Slit Bray consumes 10.27 feet at 2.4 in. before it commences to blow. Moreover, when the cock is wide open, a prevalent condition in domestic service, the Union Jet consumes very much less gas than the Stewart Jumbo, which gives no warning even at 5 in. pressure of an improper consumption, although at that pressure it is consuming 10.7 cubic feet of gas (with open outlet) as against 9.34 feet for the Union Jet.

Calorific Tests.—The employment of the candle-power standard in this State in determining the value of gas is subject to fair criticism. When gas was used solely as an illuminant, and by means of open-flame burners, its value was properly measured in terms of another illuminant, the candle, as a standard. In recent years, incandescent mantles have largely displaced the open-flame burners. The light given off from this device is generated by raising the mantles to a high temperature. In recent years also, gas has come into extensive use as fuel. Under these conditions a very small percentage, probably in this State less than 20 per cent. of the total gas consumed, is now used in open-flame burners.

As the measure of the value of gas should be based upon the preponderance of purposes for which gas is used, the candle-power as a standard apparently has come to be of minor importance.

For the purpose of confirming this, the Commission has begun a systematic series of tests which will determine the heating properties of gas as now supplied under candle-power restrictions, and whether the establishing of the heating value as a standard will

not result in giving a more satisfactory service than the commonly used candle-power standard.

The heating value of gas is generally expressed in the number of British Thermal Units developed upon the combustion of one cubic foot of gas under certain standard conditions. One British Thermal Unit is the amount of heat requisite to raise the temperature of one pound of water one degree Fahrenheit. The tests are made with an instrument known as the calorimeter. In connection with each test the candle-power of the gas is being determined with the view to obtaining results showing the relation, if any, between the candle-power and the calorific value.

To date, 66 tests have been made in 59 different municipalities. The investigations will be completed only after tests have been made of the gas of each company under the varying conditions of manufacture and distribution. That the work may be conducted as thoroughly as possible, an additional assistant inspector of gas was appointed in November, thereby permitting the entire time of one inspector to be devoted to these tests. This investigation will be concluded, it is expected, in time to submit complete results in the Commission's report for the year 1909, together with such recommendations as may then be judged expedient.

Inspections of Electric Meters.—Section 67 of the Public Service Commissions Law provides that no corporation or person shall furnish or put in use any electric meter which shall not have been inspected, approved, stamped, or marked by an inspector of the Commission. The practicability of complying with this requirement is fully discussed by the Commission in its First Annual Report (pages 96 to 102). Conferences were had in 1907 with representatives of the electrical corporations under the supervision of the Commission, and with meter manufacturers and experts, and after painstaking inquiry into all the problems presented, the conclusion was reached that a literal administration of the provision in question would be commercially impracticable and futile in results. It is not necessary to review here the considerations upon which this conclusion was based. We would again, however, call attention to the fact that the accuracy of registration of electric meters is affected by many more conditions than apply to the accuracy of gas meters, to which a similar provision

of the law refers. While this does not imply that the electric meter is less accurate as a measuring device than the gas meter, the fact emphasizes the necessity of meeting in some manner the inspection of these meters within the intent of the law. The attention of the Commission has therefore been engaged in devising and putting in operation a system of inspecting consumers' electric meters which would in effect answer the requirements of the law and the administration of which would not impose a prohibitive expense upon the State. This system calls for tests made by the companies with standard instruments approved as to type, and periodically checked for accuracy, by the Commission.

Station Standard Instruments.—The first step toward the establishment of this system lay in the enforcement of section 67 of the Public Service Commissions Law, which provides that every electrical corporation shall provide or keep in and upon its premises a suitable and proper apparatus, to be approved, stamped, or marked by the Commission, for testing and proving the accuracy of electric meters furnished for use by it.

An examination was made of the plants of each of 325 electrical corporations under the supervision of the Commission for the purpose of determining whether they were provided with such suitable testing apparatus in accordance with this requirement of the law.

Thirty-four of these plants were found not selling electric energy on a meter basis, and were therefore not required to obtain standards. Of 291 electrical corporations operating electric meters, 218 were found either with no standards, or insufficiently equipped with standards. Recommendations were made to each of these companies, based upon the inspectors' reports, indicating the type of instrument best adapted to the need of each company, and resulting in 167 companies equipping themselves with satisfactory standards; 51 plants operating on a limited scale filed objections to incurring the expense. Consideration was of necessity given to such objections, and where upon investigation the Commission was of the opinion the objections were well founded, compliance with the recommendation was for the time being waived. Fourteen other companies, unable for the present to finance the purchase of standards, entered into arrangement, with

the approval of the Commission, for the use of the instruments of companies operating in adjacent territories.

Tests of Consumers' Meters by Companies.—A comparatively large number of the companies having reported by June 23, 1908, the installation of the apparatus recommended by the Commission, the following resolution was on that day adopted by the Commission:

Resolved, That each and every electrical corporation provided with apparatus for testing the accuracy of electric meters furnished to its consumers, be and is hereby required to report to the Commission the customers' meters tested each month with such apparatus, beginning with the month of August, 1908; that such reports be made in form prescribed by the Commission; that the report for each calendar month be filed in the office of the Commission not later than the tenth day of the following month, and that the tests so reported be made pursuant to the rules and regulations of the Commission.

This act of the Commission is the second step taken in the direction of carrying out the provisions of section 67 of the law, heretofore referred to, requiring the verification of all electric meters installed by the companies. The resolution of the Commission and the rules and regulations prepared pursuant thereto go further than requiring a report of all new meters tested. Every test, whether initial, upon complaint, or periodic, and the results shown, must be given. It should be noted, however, that the Commission has not in its resolution imposed an obligation upon the companies to test meters installed on their systems. The companies are simply required to show by their reports the meters that have been voluntarily tested. The next step under consideration is to require, if necessary, an initial test of all meters when furnished to consumers, and possibly also to require the systematic inspection of meters in use. The necessity of such an order will be determined upon consideration, among other things, of the character of the reports filed by the companies.

The standards used by the companies in making these tests of consumers' meters are periodically checked by the Commission's inspectors against portable standard instruments, these portables in turn being calibrated not less than once a month by comparison with the Commission's laboratory standards in Albany.

During the year inspections were made of 1812 standards belonging to 204 companies. Ten and one-half per cent. of these

standards were found inaccurate and ordered re-calibrated, and approximately 1 per cent. of the total were disapproved as to type.

A summary of the meter reports filed by the operating companies for the months of August, September, October, and November is given in the following table:

TABLE showing results of electric meter tests as reported monthly by operating companies:

MONTH.	Com- panies reporting.	Com- panies making no tests.	TOTAL NUMBER OF METERS.			Total tests.
			4 per cent. or more fast.	4 per cent. or more slow.	Accurate within 4 per cent.	
August.....	190	106	616	1,605	3,673	5,894
September.....	181	83	565	1,842	3,912	6,119
October.....	185	85	712	1,996	4,103	6,811
November.....	188	80	782	1,802	3,760	6,344
Totals.....	.....	.....	2,675	7,045	15,448	25,168

Complaints against Electric Meters.— During the year complaints were filed by consumers against 85 electric meters. These complaint meters in each case were tested upon the premises of the consumer, the companies furnishing the meter and the consumer being notified of their privilege to have representatives present. The results show 20 of the 85 meters to have been found defective or incorrect to the prejudice of the consumer, in that they registered 4 per cent. or more fast on one or more of the load points at which tested. These incorrect meters were either replaced immediately with correct meters, or were calibrated to register within the limit of error allowed by law.

Inspections of Plants.— Special investigations were made into the affairs of a number of companies for the purpose of ascertaining the methods employed by them in the transaction of their business, and in the maintenance and operation of their plants and distributing systems. These investigations, actuated in some cases by the filing of complaints, were made upon the Commission's own motion. Where they revealed conditions of a serious nature, militating against the public interests, the practice has been to cite the companies to show cause why the Commission should not issue an order requiring improvements to be made. In minor cases, improvements have been carried out as the result of recommendations made verbally or by correspondence. As illustrating the excise by the Commission in this manner of its

powers to require the maintenance and operation of plants for the security and accommodation of the public, several of the more important of these investigations are briefly reviewed in the following paragraphs.

The secretary of the board of education of Candor, Tioga county, wrote the Commission, complaining that the acetylene gas generating plant of the Eureka Gas Company, by reason of its location in proximity to the schoolhouse, was a menace to life and property, and requesting the Commission to require its removal. Investigation disclosed that the plant was in disrepair. The company was immediately cited to appear before the Commission and show cause why the plant should not be put in a safe and secure condition in the particular respects pointed out in the order. A statement being received from the company that the repairs would be made as directed, the case was held open, without a hearing, pending compliance with the order. A further inspection of the plant was made upon receipt of an affidavit from M. K. Douglas, secretary of the company, setting forth that the requirements of the Commission had been carried out. The Commission being without authority to require the removal of the plant to a new location, exercised its powers to make the plant mechanically as safe and secure as possible.

The Catskill Mountain Gas Company, furnishing acetylene gas in Griffin Corners and Fleischmanns, was complained against by May R. DeSilva, a resident of Griffin Corners, for neglect and refusal to extend its gas mains about eight hundred feet to her premises. Acting on assurances from the superintendent of the company that the extension would be made, complainant had enlarged the building on the premises, had piped it for the burning of gas, and had leased it for hotel purposes for several years, beginning June 1, 1908, conditional on the premises being supplied with gas. Shortly prior to June 1st, the superintendent gave notice that the main would not be extended, thereby threatening complainant with considerable loss and hardship. An investigation, which disclosed no commercial reasons why the extension should not be made, resulted in the promise of the management to acquiesce in the demands of complainant. This promise was not carried out, and upon the matter being brought to the atten-

tion of the Commission, an order to show cause was issued. At the hearing, it further appearing that the directors were in favor of furnishing the service, an order was entered requiring the extension to be made forthwith and the premises to be supplied with gas.

The gas made by the Catskill Illuminating and Power Company (leased by the Schoharie Light and Power Company) having been found deficient in respect to candle-power and purity in all tests made by the Commission, and being the subject matter of complaint by residents of the village, an inspection was made of the plant and of the methods pursued in the manufacture and distribution of the gas. This investigation showed that the plant was inadequately equipped with gas making and distributing machinery. The company was accordingly ordered to show cause why it should not forthwith install a tar extractor, an exhauster, and an additional purifying box, and also why provision should not be made looking forward to the construction at an early date of a new gas holder. At the hearing, objections were entered with respect to holder and purifier, and these matters are now under consideration. The other improvements recommended are being made.

Complaint having been made by residents of Delhi against the Delhi Electric Company, the Commission, after investigation, ordered that company to show cause why the plant should not be put in a safe condition. It appeared that poles and fixtures maintained by the company were unsafe, and that there was a lack of suitable protective devices at the generating station. The president of the company made affidavit that he had complied with the recommendations of the Commission. A second inspection showed that the defective poles and fixtures had been partially replaced, and that nothing had been done toward installing protective apparatus at the power house. The case is being held open pending completion of all the improvements recommended.

Examinations have also been made of alleged smoke nuisance maintained at the generating plant of Westchester Lighting Company in New Rochelle; into the manufacture and distribution in Port Jervis of gas and electric current by the Port Jervis Electric Light, Power, Gas and Railroad Company, in which matter pro-

ceedings on an order to show cause why extensive improvements should not be made have been begun; into the temporary deficiency of gas supply in the city of Oswego; into the distributing system of the West Branch Light and Power Company, with respect to the metering system as affected by two different frequencies; into the safety of the transmission line of Kanes Falls Electric Company, under construction; into alleged dangerous condition of the electric generating plant of Consolidated Light and Power Company of Whitehall; and into the methods of manufacture or distribution of gas in Jamestown, Albany, Granville, Norwich, and Saugerties. The Jamestown investigation was into the supply of natural gas in that locality, and for the purpose of determining if the quality of the gas was being impaired by the introduction into it of air. Part of the supply is obtained from Pennsylvania fields. Analysis of the gas and examinations of the conditions of distribution were made at the wells in Pennsylvania and in this State, as well as at various places along the mains. The investigation disclosed neither the excessive presence of air in the gas, nor any method by the employment of which air could be admitted into the supply.

Miscellaneous Matters.—Many disputes of a minor nature, arising between individual consumers and companies, have been brought to the attention of the Commission for settlement, generally at the instance of the consumer as complainant. The matters complained against have mostly related to various phases of the rates question, to the quality or character of service, the refusal to supply gas or electric current, to meter rentals, and a wide selection of miscellaneous matters.

The legal right of gas corporations and electrical corporations to make a minimum charge for the supply of gas or electricity is the subject of many of these inquiries. Upon the advice of counsel, the Commission in answering these inquiries has taken the position that unless forbidden in a local act governing in a particular municipality, a reasonable minimum charge may be made. What is a reasonable charge is a matter for determination after investigation of all the conditions under which the charge is made. By reason of restrictions placed by the Transportation Corporations Law upon gas corporations with respect to charging meter rentals, and the

power therein conferred upon them to require of consumers a deposit of money "sufficient to pay the cost of his portion of the pipe . . . required to be laid and the expense of laying such portion," it is obvious that the minimum charge which a gas corporation may make must be smaller than the minimum charge of an electrical corporation. In giving correspondents the benefit of this opinion, the Commission reserved the right to decide the question, when presented in a contested matter, in accordance with what it may then deem its duty after hearing both sides.

Investigations of Accidents.—Gas corporations and electrical corporations, pursuant to a resolution of the Commission adopted December 2, 1907, filed reports of accidents to employees and others occurring in connection with the manufacture or distribution of gas and electricity. Irrespective of whether an accident is fatal or of less consequence in results, it is investigated if there are indications of wrong conditions which should be corrected. This will continue to be the practice of the Commission.

XIV. WORK OF DIVISION OF STATISTICS AND ACCOUNTS.

The attention of the chief of this division, the statistician to the Commission, has been chiefly given during the past year to the work of the preparation of the uniform systems of accounts and forms of annual reports hereinbefore discussed, although he has exercised a general supervision over all of the work of the division.

Much the greater portion of the time of all members of the staff of this division has been spent in the critical examination of reports of corporations and the compilation therefrom of the statistical matter contained in the second volume of the report of the Commission for the year 1907. Owing to the many errors contained in the reports of corporations for the year ended June 30, 1907, particularly in those rendered by electrical corporations and gas corporations, a large amount of work was necessary for the detection and correction of the errors. Nearly if not quite every corporation had to be written to once, and some of them several times, in order to secure the correction of errors. In most cases these letters brought replies indicating that greater effort would be made by the reporting corporations to make their subsequent reports more accurate. Examination of the reports thus far

received for the year ended June 30, 1908, indicates on the part of most reporting corporations a conscientious effort to render accurate reports, although because of the greater comprehensiveness of the requirements made by the Commission for the reports of corporations for the year begun July 1, 1907, much correspondence will be necessary this winter in connection with the critical examination of these reports. Such correspondence will, however, in all probability accomplish more than the correction of errors in reports now coming in: it can hardly fail to produce better future reports from corporations.

Immediately upon completion of the preparation of the second volume of the report of the Commission for the year 1907, the work of the office force was directed upon the preparation of card indexes, the need of which had been felt from time to time. The principal of these is called the corporation index. A separate card, five inches by eight inches in size, is assigned to each particular corporation within the jurisdiction of the Commission, and on this card are noted the salient characteristics of the corporation: its history, organization, intercorporate relationships, etc., together with a synopsis of the principal items of its annual balance sheets and income accounts. Provision is made on the card for these during a period of ten years, and as the record becomes more and more complete it will become of greater value. The index has already proved useful in many instances.

An index of places has also been prepared in connection with electrical corporations and gas corporations. A separate card is assigned to each place served by a corporation of either or both of these classes, and thereon are noted the principal facts concerning such service, so that reference to the card for a particular place shows what corporation or corporations serve such place, and the principal characteristics of such service.

An index of persons is being prepared. A separate card is assigned to each person shown in the index, and thereon are noted the names of the several corporations within the jurisdiction of this Commission with which he is connected, either as officer or director, and the character of the connection. This index is found particularly valuable in facilitating the dispatch of work in the office.

The mailing index of corporations also received attention. One of the staff of the office made a thorough search of the files and records of the offices of the Secretary of State and of the Comptroller and there found the names of many new corporations and of some old ones which it was thought might be within the jurisdiction of the Commission. A brief circular containing inquiries designed to draw out information bearing upon this point was prepared and sent to corporations discovered in the search above mentioned, and upon the results of those inquiries depends whether or not the several corporations are placed upon the lists of corporations to make reports to the Commission.

Beginning with the receipt of the annual reports of railroad corporations for the year ended June 30, 1908, the general staff of the division has been employed in an examination of such reports.

XV. WORK OF DIVISION OF RAILROAD ENGINEERING AND INSPECTION.

The work of this division during the past year has included the following matters: 1, inspection of steam railroads; 2, inspection of electric railroads; 3, inspection of equipment; 4, inspection of boilers; 5, grade crossing eliminations and inspections.

Steam Railroad Inspection.—All of the railroads operated by steam as a motive power within the jurisdiction of this Commission have been inspected during the past year, except the line of the Tunesassa and Bradford Railroad Company, which line is about six miles in length. Complete reports of the inspections made have been filed. The principal features of inspection covered by these reports are as follows:

1. General description of line: length of main line, length of second and third and additional tracks, length of sidings and yard tracks.
2. General characteristics of road: as to the grades and curvatures, maximum grades and curves on main line, and where located.
3. Inspection of cuts and embankments with reference to width and slopes, condition of retaining walls, drainage.
4. Tunnels: inspections in regard to safety.
5. The inspection of bridges, trestles, open culverts, cattle passes, arch and box culverts and drains.
6. Cross-ties: kind and condition, dimensions, and number used per mile of track.
7. Rail: weight, condition, and connections; observation of spiking used.

8. Switches: kind and condition; condition of switch stands, and of switch and signal lamps; whether derailing switches are used on sidings to prevent cars fouling main track on descending grades.
9. Maintenance of track: gauging, alignment, surfacing, and elevation of outer rail on curves; kind and condition of ballast.
10. Grade crossings of one railroad by another, whether steam or electric; description of protection; signals and interlocking used.
11. Right of way: condition, whether proper attention has been given to the removal of trees, brush, and weeds; maintenance of fences.
12. Grade crossings of highways: grading of approaches, planking between rails, kind and condition of crossing-signs, maintenance of cattle guards; protection of crossings by flagmen, gates, or bells.
13. Mile- and whistle-post maintenance.
14. Over-head obstructions: bridges, tunnels, or otherwise endangering brakemen riding on top of car; condition of warning signals; observation regarding possibility of removing obstructions.
15. Track maintenance: length of sections, average force maintained in section gangs, system of track inspection by track walkers.
16. Interlocking plants: description and observation of maintenance.
17. Block system, signaling, and train control: methods used and suggestions regarding improvement.
18. Stations and buildings: whether sufficient for the service and properly furnished; observation of sanitary condition.
19. Freight yards and terminals: condition and adequacy.

The number of railroad systems inspected is 65; the number of lines of railroad inspected is 247; the total number of miles of railroad lines inspected is 8109.42; and the total miles of all tracks inspected is 16,105.91. It will be noticed that the figures herein given are somewhat different from those contained in the report of the Commission for the year 1907. The discrepancy arises from the fact that in the mileage given for that year was included railroad mileage in the jurisdiction of the Commission for the First District, which was inspected during the year by an inspector of this Commission or by the Board of Railroad Commissioners.

The reports of these inspections will be published as an appendix to this report. Copies of the reports have been transmitted to the railroad companies affected thereby, and constant efforts have been made to secure the correction of defects pointed out by the inspectors and to have their recommendations observed. In various instances the operating officers of railroad companies have expressed themselves as regarding these inspections of great value and importance.

Street Railroad Inspection.—The inspection of electric railroads in this Second District was commenced immediately after the organization of the Commission in July, 1907. At that time it was deemed advisable to first inspect those railroads on which the conditions and character of travel was such as to comparatively increase the dangers of operation. This class of railroads includes nearly all of the suburban and some of the smaller city railroads. During the six months ended December 31, 1907, 36 such railroads were inspected, and the conditions on a number of them were found to be such that subsequent inspections were necessary, and some of these railroads have been inspected a number of times during the present year. For this reason a number of railroads which were inspected in 1907 appear in the list of railroads inspected in 1908. By reason of the inability of one inspector to inspect all the railroads, and also conduct accident investigations as required, a number of electric railroads have not been inspected since this Commission took office.

The railroads not inspected include a number of city railroads, such as the International Railway of Buffalo, Rochester Railway, Syracuse Rapid Transit Railway, Utica and Mohawk Valley Railway, Schenectady Railway, United Traction of Albany, and others. While no formal inspection and report have been made on the above mentioned railroads, conditions on each affecting the safety and convenience of the public have been the subject of frequent observations and examinations in the investigation of accidents on them, and in the investigation of complaints against these companies, by the inspector of electric railroads. Such examinations and investigations have resulted in recommendations for improvements in conditions affecting safety and convenience where such were necessary. The following electric street surface railroads have been inspected during the year: Auburn and Northern, Buffalo and Depew, Buffalo and Lake Erie Traction; Buffalo, Lockport and Rochester; Buffalo Southern, Cortland County Traction; Geneva, Waterloo, Seneca Falls and Cayuga Lake; Kingston Consolidated; New Paltz, Highland and Poughkeepsie; New York and Long Island Traction, Niagara Gorge, Oneonta and Mohawk Valley, Ontario Light and Traction, Orange County Traction, Peekskill Lighting and Railroad, Penn Yan; Port Jervis Electric

Light, Power, Gas and Railroad; Putnam and Westchester Electric Railroad; Rochester, Charlotte and Manitou; Rochester and Eastern Rapid, Rochester and Sodus Bay; Rochester, Syracuse and Eastern; Syracuse, Lake Shore and Northern; Tarrytown, White Plains and Mamaroneck; Wallkill Transit, Westchester Electric, Western New York and Pennsylvania, Yonkers Railroad, and Westchester Traction. The total mileage of railroads thus inspected is 632.66.

The following railroads have not been inspected since this Commission took office July 1, 1907: *Suburban:* Adirondack Lakes' Traction, Albany and Hudson, Babylon Railroad, Bennington and North Adams, Corning and Painted Post; Elmira, Corning and Waverly; Fonda, Johnstown and Gloversville; Glen Cove, Hudson Valley, Huntington; Keeseville, Ausable Chasm and Lake Champlain; Lima-Honeoye Electric, New York and Stamford, Northport Traction, Paul Smith's Electric Light and Power and Railroad, St. Lawrence International, Warren and Jamestown; Waverly, Sayre and Athens. *City:* International Railway; Elmira Water, Light and Railroad; Jamestown Street Railway, Plattsburgh, Rochester Railway, Syracuse Rapid Transit, United Traction, Utica and Mohawk Valley. The total mileage of suburban railroads not inspected is 297.86; and of city railroads not inspected, 448.126.

Attention is called to the fact that additional inspectors for electric railroads are needed, as elsewhere indicated in this report. Accident investigations upon electric railroads seem to be more imperatively needed than upon steam railroads, which is another reason for strengthening the accident investigation force relating to this class of railroads.

In most cases where recommendations for improvements have been made, either by an inspector or by the Commission, the corporations affected have signified a willingness to comply without formal orders. In a number of cases the work is at present in progress. Some of the improvements which have been made in consequence of recommendations and suggestions from the Commission are as follows:

Auburn & Syracuse: Installed a register station at Skaneateles, signal at that point placed under lock.

Binghamton Railroad: New special work put in at two points where track crosses steam track at grade, metal trough placed on trolley wire at these points, portion of system re-laid with new rail.

Black River Traction: A number of new cars put in service.

Buffalo Southern: Reconstructed trestle on approach to Cazenovia bridge, adopted set of rules.

Cortland County Traction: Filled in defective trestles, installed derail switches at grade crossing of steam tracks, and placed metal trough on trolley wires at these points.

Elmira & Seneca Lake: Improvements in structures.

Geneva, Waterloo, Seneca Falls & Cayuga Lake: Improved conditions of cars and additions to service.

Ithaca: Reconstructed track on Cornell Heights, new cars ordered.

New Paltz, Highland & Poughkeepsie: Material improvement in track, condition of cars, additions to service.

New York & Long Island Traction: Curves straightened, right of way cleared to improve vision of motormen.

Niagara Gorge: Material improvements in track, equipment of two trains with air brakes.

Oneonta & Mohawk Valley: Four new cars.

Orange County Traction: Reconstruction of suburban line, improvement in methods of operation including train dispatching and rules.

Peekskill Lighting & Railroad: Improvement in methods of operation.

Penn Yan, Keuka Lake & Branchport: Additions to service.

Poughkeepsie City & Wappingers Falls: Material improvement in track.

Rochester & Sodus Bay: Material improvement in track, additions to equipment, increased service.

Rochester & Suburban: Material improvement in track, construction of new bridge, and removal of "lap" track.

Rochester Electric: Material improvement in track, construction of loop track at Charlotte.

Rochester & Eastern Rapid: Reduction of grades, material improvement in track, additions to equipment, and increased service.

Rochester, Charlotte & Minaitou: Practical reconstruction of entire road between Charlotte and Bradieck's Bay.

Rochester Railway: Practical reconstruction of Allen and Jay streets line, increased service on same.

Syracuse, Lake Shore & Northern: Construction of new track, eliminating Stiles' bridge which was in a dangerous condition, improvements in methods of operation, and increased facilities for handling State Fair traffic.

Tarrytown, White Plains & Mamaroneck: Completion of reconstruction of track.

Walkill Transit: Reconstruction of a portion of line, improved methods of operation, removal from service of defective equipment.

Western New York & Pennsylvania: Improvement in methods of operation.

Fonkers Railroad: Additions to equipment, equipping cars with air brakes.

The inspector reports that there has been a general improvement in track maintenance, methods of inspection, repair, cleaning and heating of cars, on nearly all the electric railroads subject to

the supervision of this Commission. In some cases improvements recommended have not been completed, and while companies affected have expressed a willingness to comply, financial conditions have prevented.

During the year operation on the Rochester, Syracuse and Eastern Railroad has been extended from Clyde to Port Byron, and operation was commenced on the Auburn and Northern Railroad. These railroads are operated under the same management, and through cars are at present running between Rochester and Auburn.

Operation on the Buffalo, Lockport and Rochester Railroad from Buffalo to Rochester has been commenced during the year. The Syracuse, Lake Shore and Northern extension from Baldwinsville to Fulton, and the Syracuse and South Bay Electric Railroad from Syracuse to Oneida Lake, have been completed.

Supervision of Equipment.—Supervision of equipment has been in charge of one supervisor of equipment. During the year he has given a general inspection to 1262 locomotive engines, being about 21 per cent. of all the locomotives regularly operating in this Second District. He has also inspected 92 locomotive terminals, there being in the State 162 locomotive terminals at which general, heavy, or running repairs are made to locomotives.

The work of the supervisor of equipment is discussed more fully under the headings "Locomotive Engine Failures" and "Passenger Train Delays".

It is hoped to extend the work of this branch of the Commission to a variety of subjects of public interest during the coming year, among which are the ventilation, heating, and sanitary condition of passenger cars. The condition of many passenger cars, in these respects, is decidedly unsatisfactory. It is unnecessary to enlarge at this time upon a matter of common knowledge. There are many problems in connection with the proper solution of attaining a proper sanitation of passenger cars, and but little can be done by the Commission without careful investigation by subordinates.

XVI. WORK OF DIVISION OF TARIFFS.

The work of the division of tariffs has been brought to a state of high efficiency during the year. In July, 1907, when this division was organized by the Commission, it was realized that

to be of real service, beyond a mere depository of rate records, these schedules must be constructed and forwarded to the Commission in compliance with rules having uniform application as to the carriers, be filed according to a well defined system, and be indexed not only as to kind of tariff, but also as to each commodity specified by name therein. This work of indexing the great quantity of tariffs which were filed during the first few months after July 1, 1907, as a result of the law's requirements, and which have been filed from day to day since as representing rate changes, has called for much intelligently directed industry by a limited force, without regard to office hours, and is now practically completed.

After subjecting the system employed to numerous tests with the aid of a few trained employees under the supervision of the chief of the division, the Commission feels that it has succeeded in putting into satisfactory operation a thoroughly efficient tariff bureau.

A revision of the rules governing the construction and filing of tariffs by steam and electric railroads and by parlor and sleeping car companies has been made.

Numerous applications to put rates in effect on less than the statutory thirty days' notice have been granted by the Commission. The number of such short notice permission orders since January 1, 1908, is 569. The number of tariffs or rate schedules filed during the calendar year 1908 is 20,089, bringing the total number on file up to 47,183.

A large part of the work of the division consists of preparing rate memoranda upon filed complaints and in response to requests for rate information by shippers. This division of the Commission is equipped to promptly furnish shippers with the rate on any commodity between any two given points over any railroad in this State. If these requests call for a number of rates, and specify various points and different commodities, a longer time for reply is necessarily required. Whenever these requests are reasonably limited as to the amount of information desired they are complied with, and shippers are thereby provided with a source of reliable advance information as to the transportation charges which must be enforced.

This work is effectively supplemented by the issuance weekly of a tariff bulletin showing all rate changes for the preceding week. The bulletin is free to all applicants at the office of the Commission, and will also be mailed upon receipt of the mailing cost. It is mailed free to boards of trade, chambers of commerce, and other commercial organizations. The demand for this bulletin by individual shippers is large and constantly increasing, and as intended by the Commission, it is fast becoming essential to shippers having frequent occasion to forward property over railroads within this State.

The work of securing greater simplicity in methods of announcing rates in tariff schedules is being pressed, and will constitute an important part of the Commission's work during the coming year. This and other features connected with the use of tariffs are more particularly referred to in the part of this report devoted to railroad tariffs and rate discriminations.

XVII. LEGAL DEPARTMENT.

During the year 1908, the following actions and special proceedings have been brought by or against the Commission:

Supreme Court, Albany county: The People of the State of New York *against* Economic Power and Construction Company:

Action commenced May 23, 1908, to recover penalties under subdivision 6 of section 66 of the Public Service Commissions Law for failure to file report. Pending on demurrer to amended complaint. Messrs. Bissell & Riley and Mr. Simon Fleischmann for defendant.

Supreme Court, Albany county: The People of the State of New York *against* Jeffersonville Gas Company:

Action commenced May 25, 1908, to recover a penalty under subdivision 6 of section 66 of the Public Service Commissions Law for failure to file report. At a hearing at Albany June 23, 1908, defendant made proof satisfactory to the Commission that its failure to file report was inadvertent, and the action was discontinued. Mr. Alpheus Potts for defendant.

Supreme Court, Albany county: The People of the State of New York on the relation of the Town of West Seneca *against* Public Service Commission for the Second District of the State of New York, and The Terminal Railway of Buffalo.

An alternative writ of prohibition was served on the Commission June 27, 1908, returnable at the Albany special term, pro-

hibiting the Commission from proceeding with the application of The Terminal Railway of Buffalo for a rehearing and modification of the determination of the former Board of Railroad Commissioners in regard to certain viaducts over the tracks of the railroad company at the Gardenville yard in the town of West Seneca. The matter was heard before Mr. Justice Fitts at Albany, August 8, 1908, on the separate returns of the Commission and the railroad company. Mr. Justice Fitts denied the peremptory writ September 19, 1908. From the order denying a peremptory writ the town appealed to the Appellate Division, third department, September 29, 1908. The appeal is on the calendar of the Appellate Division for the term commencing January 5, 1909. Mr. William J. Evans for relator; Mr. Charles A. Pooley for The Terminal Railway of Buffalo.

Supreme Court, Albany county: The People of the State of New York on the relation of the Town of Cheektowaga *against* Public Service Commission for the Second District of the State of New York, and The Terminal Railway of Buffalo.

This was a proceeding precisely similar to the last, and was heard and determined with it. It has been stipulated that the issues, which are the same as in the West Seneca case, abide the event in that case. Mr. William Brennan, jr., for relator; Mr. Charles A. Pooley for The Terminal Railway of Buffalo.

Supreme Court, Franklin county: In the matter of the application of the Chasm Power Company for leave to file a corrected and amended certificate of incorporation.

An order to show cause was granted by Mr. Justice Van Kirk at special term June 30, 1908, on petition of the company, and affidavits returnable at Saratoga special term July 11, 1908. Counsel to the Commission appeared and opposed granting relief except upon the condition that as to territory not named in the original articles of incorporation application should be made to the Commission. So ordered. Mr. John P. Kellas for Chasm Power Company.

Supreme Court, Albany county: The People of the State of New York *against* The New York Central and Hudson River Railroad Company.

Action commenced July 22, 1908, to recover penalties under sections 55, 56, 58, and 59 of the Public Service Commissions Law for issuing \$30,000,000 equipment trust certificates in November, 1907, without application to the Commission. An

answer was served August 31, 1908, and the issues so raised are on the calendar for the Albany trial term commencing January 4, 1909. Mr. Alexander S. Lyman and Mr. Albert H. Harris for defendant.

Supreme Court, Albany county: The People of the State of New York on the relation of Economic Power and Construction Company *against* Frank W. Stevens, Thomas M. Osborne, Martin S. Decker, James E. Sague, and John B. Olmsted, constituting the Public Service Commission of the Second District of the State of New York, and Geneva-Seneca Electric Company.

An alternative writ of prohibition was served on the Commission July 28, 1908, prohibiting it from proceeding to a hearing upon the complaint of the Geneva-Seneca Electric Company, which charges that the Economic Power and Construction Company has since July 1, 1907, begun construction of electric works in Geneva without first obtaining the permission and approval of the Commission under section 68 of the Public Service Commissions Law. The petition for the writ alleges (1) that the Economic Power and Construction Company is not subject to the jurisdiction of the Public Service Commission, Second District, nor required to obtain the consent of the municipal authorities of Geneva; and (2) that if the Public Service Commissions Law should be construed to require the consent or approval of the Commission, such provision would be void and unconstitutional as against the petitioner because (*a*) it would impair the obligation of a contract between the State of New York and the Economic Power and Construction Company, in violation of section 10 of Article I of the Constitution of the United States; (*b*) would deprive it of property without due process of law, in violation of the fifth amendment of the Constitution of the United States; (*c*) that the same would be taking private property by the State of New York for public use without just compensation, in violation of the fifth amendment; (*d*) that it would deprive said company of its property without due process of law, in violation of section 1 of the fourteenth amendment; (*e*) would deprive said company of property without due process of law, in violation of section 6 of Article I of the Constitution of the State of New York; (*f*) would take the private property of said petitioner for public use without just compensation, in violation of section 6 of Article I of the Constitution of the State of New York; and (*g*) would be in

violation of section 17 of Article III of the Constitution of the State of New York. No return has been filed to the writ, the time having been extended by stipulation. Messrs. Bissell & Riley and Hon. D-Cady Herrick for relator; Mr. L. E. Carr for defendant Geneva-Seneca Electric Company.

Supreme Court, Albany county: The People of the State of New York *against* Port Jervis Electric Light, Power, Gas and Railroad Company.

Action commenced October 20, 1908, for penalty for neglect of defendant to obey order of Public Service Commission, Second District, to make repairs and to reconstruct a part of its roadbed and track under section 56 of the Public Service Commissions Law. Issue was joined by the service of an answer November 9, 1908. Motion for judgment on answer pending in Albany special term. Hearing of motion held on stipulation of counsel pending foreclosure proceedings and reorganization of defendant. Mr. William A. Parshall for defendant.

Before the Honorable George H. Fitts, Justice of the Supreme Court: In the matter of the application of the Public Service Commission for the Second District of the State of New York for an order directing Herbert P. Bissell to show cause why he should not be required to answer certain questions put to him in the matter of the examination into the affairs of the Economic Power and Construction Company, and the New York Power Securities Company.

Order procured of Mr. Justice Fitts November 19, 1908, on petition of Public Service Commission, Second District. Heard before the Justice at Albany, December 4, 1908, and finally submitted on briefs December 30, 1908. Mr. Simon Fleischmann and Mr. George C. Riley for respondent.

United States Circuit Court, Northern District of New York: The Delaware, Lackawanna and Western Railroad Company *against* Frank W. Stevens, Thomas M. Osborne, Martin S. Decker, James E. Sague, and John B. Olmsted, as Commissioners of the Public Service Commission of the Second District of the State of New York.

Preliminary injunction issued November 30, 1908, restraining Commission from enforcing order to stop trains Nos. 9 and 12 at Dansville, or in lieu thereof to put on local train between Dansville and Buffalo. Equity subpoena to answer bill of complaint was served on defendants December 7, 1908. Mr. F. W. Thomson and Mr. W. S. Jenney for complainant.

Supreme Court, Albany county: The People of the State of New York on the relation of Erie Railroad Company *against* The Public Service Commission of the Second District of the State of New York, and Frank W. Stevens, Martin S. Decker, James E. Sague, John B. Olmsted, and Thomas M. Osborne, members of and comprising the Public Service Commission of the Second District of the State of New York:

Writ of certiorari served on defendants December 7, 1908, requiring them to return into the Supreme Court their proceedings in the matter of the Western New York and Pennsylvania Traction Company in respect to an extension of its railroad pursuant to section 53 of the Public Service Commissions Law from Salamanca to Little Valley, Cattaraugus county. Messrs. Orcutt, Robbins & Brown for relator.

Supreme Court, Appellate Division, Fourth Department: In the matter of the application of the Directors of the Buffalo Frontier Railroad Company for an order directing the Public Service Commission, Second District, to issue a certificate of public convenience and a necessity under section 59 of the Railroad Law.

Petition and order to show cause served December 14, 1908, returnable at Rochester January 5, 1909, in the nature of an appeal from the determination of the Board of Railroad Commissioners denying certificate of public convenience and a necessity to petitioner. Mr. Joseph G. Dudley and Hon. Edward W. Hatch for petitioner; Mr. C. M. Bushnell and Mr. L. E. Carr for Buffalo, Lake Erie and Niagara Railroad Company; Mr. C. A. Pooley for The New York Central and Hudson River Railroad Company et al.; Mr. L. L. Babcock for The Delaware, Lackawanna and Western Railroad Company.

XVIII. SUNDY APPLICATIONS.

The following three tables show applications made to the Commission under sections 53 and 68 of the Public Service Commissions Law, and under various other provisions of law for authorizations and permits:

TABLE showing applications under section 53 of the Public Service Commissions Law for approval of construction and exercise of franchise by railroad corporations:

Name of Corporation.	Nature.	Date of permit, 1908.
Pittsburgh, Binghamton and Eastern Railroad Co.	Change of route.....	Feb. 24
The Rochester Electric Railway Company.....	Extension.....	April 28
The D. & H. Co., and New York and Canada R. R. Co.	Merger.....	May 7
Syracuse & South Bay Electric Railroad Company.....	Construction.....	June 11
The D. & H. Co., and C.V., Sharon & Albany R. R. Co.	Merger.....	June 13
Putnam and Westchester Traction Company.....	Construction.....	June 27
Interurban Electric Express Company of Syracuse.....	Exercise of rights as express company.....	(Denied) July 16
Western New York & Pennsylvania Traction Co.	Construction of temporary tracks.....	July 16
Buffalo, Lockport and Rochester Railway Company.....	Extension.....	July 23
Ithaca Street Railway Company.....	Extension.....	July 23
Rome and Osceola Railroad Company.....	Certificate of public convenience and a necessity	July 30
Rochester Railway Company.....	Construction of second track.....	Aug. 6
Western New York & Pennsylvania Traction Co.	Extension.....	Aug. 10
Champlain and Sanford Railroad Company.....	Certificate of public convenience and a necessity	Aug. 12
Dexter and Eastern Railroad Company.....	Certificate of public convenience and a necessity	(Closed)
New York and North Shore Traction Company.....	Extension.....	Sept. 1
Newton Falls and Northern Railroad.....	Certificate of public convenience and a necessity	Sept. 24
The New York Central and Hudson River R. R. Co.	Extension.....	Nov. 9
The Little River Railroad.....	Certificate of public convenience and a necessity	Nov. 10
Buffalo, Lockport and Rochester Railway Company.....	Extension.....	Nov. 16
Schenectady Railway Company.....	Annulling approval of July 23.....	Nov. 17
	Extension.....	Dec. 9

TABLE showing applications under section 68 of the Public Service Commissions Law for approval of construction and exercise of franchise by electrical corporations and gas corporations:

Name of Corporation.	Date of permit, 1908.
Buffalo General Electric Company.....	Jan. 7
Niagara, Lockport and Ontario Power Company.....	Jan. 7
Great Bear Light and Power Company.....	Mar. 10
Marion Borden Halliday.....	April 6
Baron Steuben Oil and Gas Company (closed on record, without permit, at request of attorney).	April 7
The Electric Light Company of New Paltz.....	April 7
Genesee County Electric Light, Power and Gas Company.....	April 16
Wells Island Light and Heat Company.....	June 3
The Berlin Electric Light, Heat and Power Company.....	June 27
Clear Creek Oil and Gas Company.....	July 16
Peter Goergen and Josef Goergen, Castleton.....	July 21
Kanes Falls Electric Company.....	July 30
Citizens Electric Service Company of Bath.....	Aug. 5
Williamsville Electric Light and Power Company.....	Aug. 12
Village of Arcade, Wyoming county.....	Sept. 1
Broadalbin Electric Light and Power Company.....	Sept. 24
Newburgh Light, Heat and Power Company.....	Oct. 7
Saranac Lake Gas Company.....	Oct. 7
A. L. Swett Electric Light and Power Company.....	Oct. 14
Schenectady Power Company.....	Oct. 27
Chasm Power Company.....	Nov. 25
Tri-County Natural Gas Company.....	Dec. 2
Lavern W. Lazell and Luman W. Pierce.....	Dec. 16

TABLE showing sundry applications not elsewhere mentioned:

Name of Applicant.	Nature of Application.	Decided, 1908.
Glenfield and Western Railroad Company.....	Sec. 55, Railroad Law.....	Dec. 31, '07
Buffalo, Lockport and Rochester Railway Co.....	Sec. 68, Railroad Law.....	Jan. 13
Buffalo, Lockport and Rochester Railway Co.....	Sec. 68, Railroad Law.....	Jan. 13
The New York Central & Hudson River R. R. Co.	Sec. 54, P. S. C. Law.....	Jan. 29
Central New England Railway Company.....	Sec. 62, Railroad Law.....	Jan. 30
Alden-Batavia Nat. Gas Co. and Geo. W. Archer and Augusta M. Archer.....	Sec. 70, P. S. C. Law.....	Feb. 6
Utica Gas and Electric Company.....	Sec. 58, Transp. Corp. Law.....	Feb. 17
Town Board of Town of Cornwall, Orange county.....	Sec. 60, Railroad Law; modification of determination of Board of Railroad Commissioners.....	(Dismissed) Feb. 18
Western New York & Pennsylvania Traction Co.	Sec. 103, Railroad Law.....	Feb. 18
Raymondville & Waddington Railroad Co.....	Sec. 60, Railroad Law.....	Feb. 19
The New York Central & Hudson River R. R. Co.	Sec. 62, Railroad Law; modification of determination of Board of Railroad Commissioners.....	(Dismissed) Feb. 18
Buffalo, Lockport and Rochester Railway Co.....	Sec. 33, Railroad Law.....	Feb. 24
Black River Traction Company.....	Sec. 68, Railroad Law.....	Feb. 25
Western New York & Pennsylvania Traction Co.	Sec. 103, Railroad Law.....	Feb. 27
Western New York & Pennsylvania Traction Co.	Sec. 68, Railroad Law.....	Mar. 11
Samuel G. Keyes.....	Sec. 70, P. S. C. Law.....	Mar. 11
Keyes Electric Company.....	Sec. 69, P. S. C. Law.....	Mar. 17
Dolgeville and Salisbury Railway Company.....	Sec. 60, Railroad Law.....	April 1
International Railway Company.....	Sec. 68, Railroad Law.....	(Withdrawn) April 1
The Delaware and Hudson Company.....	Sec. 54, P. S. C. Law.....	April 1
Dolgeville & Salisb'y Ry. Co. and L. F. & D. R. R. Co.	Sec. 54, P. S. C. Law.....	April 9
Rochester & Suburban Ry. Co. and Roch. Ry. Co	Sec. 54, P. S. C. Law.....	April 9
Genesee County Electric Light, Power & Gas Co.	Sec. 70, P. S. C. Law.....	April 16
Town Board of Town of Oneida, Oneida Co.....	Sec. 62, Railroad Law.....	(Closed on record) April 28
The D. & H. Co. and N. Y. & Canada R. R. Co.	Sec. 54, P. S. C. Law.....	May 7
Village of Wayland, Steuben county.....	Sec. 61, Railroad Law.....	May 13
The Lake Shore & Michigan So. Ry. Co.....	Sec. 62, Railroad Law.....	May 13
Walter F. Newton, James A. Morris, and Lauren M. Fitch, joined in by Wells Is. Lt. & Ht. Co.	Sec. 70, P. S. C. Law.....	June 3 (Denied)
Hoosick Falls Ill. Co. and The Twin S. Gas & El. Co.	Sec. 70, P. S. C. Law.....	June 11 (Denied)
The Twin State Gas & Electric Company.....	Sec. 70, P. S. C. Law.....	June 11
Charlotte E. Gaenger and Lima-Homeoye El. Lt. & R. R. Co.....	Sec. 54 & 70, P. S. C. Law	June 11
The D. & H. Co. and Cherry V. S. & A. R. R. Co.	Sec. 54, P. S. C. Law.....	June 13
The New York Central & Hudson River R. R. Co.	Sec. 34, Railroad Law.....	June 18
Dolgeville and Salisbury Railway Company.....	Sec. 46, Stock Corp. Law.....	June 18
Mayor and Common Council of City of Utica.....	Sec. 62, Railroad Law.....	June 27
Village of La Salle, Niagara county.....	Sec. 61, Railroad Law.....	July 7
The N. Y. C. & H. R. R. Co., joined in by W. S. R. R. Co.....	Sec. 34, Railroad Law.....	July 7
Floral Park Light and Power Company.....	Sec. 70, P. S. C. Law.....	July 13
Town Board of the Town of Verona, Oneida county, L. V. Ry. Co. and L. V. R. R. Co.	Sec. 62, Railroad Law.....	July 13
The New York Central & Hudson River R. R. Co.	Sec. 54, P. S. C. Law.....	July 16
The New York Central & Hudson River R. R. Co.	Sec. 54, P. S. C. Law.....	July 21
Rochester and Eastern Rapid Railway Co.....	Sec. 46, Stock Corp. Law.....	July 21
Rochester and Eastern Rapid Railway Co.....	Sec. 54, P. S. C. Law.....	July 21
Marcus Lus and Otisco Lake Railway Co.....	Chap. 493, Laws of 1908.	July 23
Chateaugay Electric Light and Power Co.....	Sec. 70, P. S. C. Law.....	July 23
F. Culver and G. Whittlesey, Reorg'n Committee	Sec. 54, P. S. C. Law.....	July 28
Cortland and Auburn Railroad Company.....	Sec. 60, Railroad Law.....	July 30 (Denied)
Walkill Transit Co.....	Sec. 103, Railroad Law.....	July 30
Rome and Osceola Railroad Company.....	Sec. 59, Railroad Law.....	July 30
Champlain and Sanford Railroad Company.....	Sec. 59, Railroad Law.....	Aug. 12 (Denied)
Hudson River Electric Company.....	Sec. 70, P. S. C. Law.....	Aug. 19
Kendall B. Castle.....	Sec. 54, P. S. C. Law.....	Aug. 19
S. J. Delaney and Jay Francis to E. L. Thornton Mayor and Common Council of the City of Mount Vernon and The N. Y. C. & H. R. R. R. Co.	Sec. 70, P. S. C. Law.....	Sept. 3
Western New York & Pennsylvania Tr. Co.....	Sec. 62, Railroad Law.....	Sept. 12
Mexico Electric Company.....	Sec. 68, Railroad Law.....	Sept. 14
Mayor and Common Council of the City of Troy.....	Sec. 70, P. S. C. Law.....	Sept. 14
	Sec. 62, Railroad Law.....	Sept. 22

TABLE showing sundry applications not elsewhere mentioned (concluded):

Name of Applicant.	Nature of Application.	Decided, 1908.
Frederick W. Bauer.....	Revocation of certificate of public convenience and a necessity.....	(Dismissed)
The Long Island Railroad Company.....	Sec. 62, Railroad Law....	Sept. 24
Western New York & Pennsylvania Tr. Co.....	Sec. 68, Railroad Law....	Sept. 29
Poughkeepsie Light, Heat and Power Co.....	Sec. 70, P. S. C. Law....	(Withdrawn)
The Electric Light Company of New Paltz.....	Sec. 70, P. S. C. Law....	Oct. 6
The L. S. & M. S. Ry. Co. and the Town Board of the Town of Hamburg, Erie county.....	Sec. 62, Railroad Law....	Oct. 7
The Delaware and Hudson Company.....	Sec. 34, Railroad Law....	Oct. 7
Francis A. Stratton and the Westchester Litg. Co. South Shore Tr. Co. and Suffolk Tr. Co.....	Sec. 70, P. S. C. Law....	Oct. 12
Town Board and Highway Commissioners of the Town of Wallkill, Orange county.....	Sec. 54, P. S. C. Law....	(Denied)
Newton Falls and Northern Railroad.....	Sec. 60, Railroad Law....	Oct. 14
Village of Depew.....	Sec. 59, Railroad Law....	Oct. 21
The New York Central & Hudson River R. R. Co. Erie and Jersey Railroad Company.....	Sec. 61, Railroad Law....	Nov. 1
Rutland Railroad Company.....	Sec. 34, Railroad Law....	Nov. 10
Town Board of the Town of Caneadea, Allegany county.....	Sec. 60, Railroad Law....	Nov. 13
Town Board of the Town of Stafford, Genesee county.....	Sec. 62, Railroad Law....	(Denied)
Glenfield and Western Railroad Company.....	Sec. 55, Railroad Law....	Nov. 17
Town Board of the Town of Brighton, Monroe county.....	Sec. 62, Railroad Law....	Dec. 1
The N. Y. C. & H. R. R. Co.....	Sec. 34, Railroad Law....	Dec. 1
Buffalo Southern Railway Company.....	Sec. 68, Railroad Law....	Dec. 2
Buffalo Southern Railway Company.....	Sec. 68, Railroad Law....	Dec. 7
	Sec. 68, Railroad Law....	Dec. 8
	Sec. 68, Railroad Law....	Dec. 8

All of which is respectfully submitted.

Dated January 11, 1909.

FRANK W. STEVENS.

THOMAS M. OSBORNE.

MARTIN S. DECKER.

JAMES E. SAGUE.

JOHN B. OLTMSTED.

APPENDIX A.

IN THE MATTER OF CONSTRUCTION AND EXERCISE OF FRANCHISE
BY RAILROAD CORPORATIONS.

APPENDIX A.

[Case No. 21]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman.
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of PITTSBURGH, BINGHAMTON AND EASTERN RAILROAD COMPANY, under section 53 of the Public Service Commissions Law, for permission to exercise the right under section 13 of the Railroad Law to change the route of the petitioner's railroad, and for approval of the exercise of such right.

The Pittsburgh, Binghamton and Eastern Railroad Company on October 14, 1907, filed with this Commission its petition, under section 53 of the Public Service Commissions Law, for permission to exercise the right under section 13 of the Railroad Law to change the route of petitioner's railroad in the counties of Broome and Tioga, and for approval of the exercise of such right.

Hearings on this petition were held by this Commission at the Capitol in the city of Albany on November 7, 1907, and February 5, 11, and 17, 1908. *Theodore R. Tuthill, Richard C. Storey, and John G. Whitmore* appeared for the petitioner; *George N. Orcutt* appeared for the Erie Railroad Company, in opposition; *F. W. Thomson* appeared for The Delaware, Lackawanna and Western Railroad Company on November 7th, but subsequently withdrew the appearance of that company.

It appears from the petition and accompanying papers and from the evidence at the hearing that on March 8, 1904, the former Board of Railroad Commissioners granted to the Binghamton and Southern Railroad Company a certificate, under section 59 of the Railroad Law, that public convenience and a necessity required the construction of said company's railroad from a point in the extreme southern portion of Broome county in the New York and Pennsylvania state line to the city of Binghamton, the line as then proposed to be built being a little more than fifteen miles long; that subsequently the Binghamton and Southern Railroad Company was consolidated with other railroad companies, and the said consolidated company was again consolidated with other railroad companies, by which last consolidation the petitioner, the Pittsburgh, Binghamton and Eastern Railroad Company, was formed, and by virtue of said consolidations succeeded to all the rights and franchises of the said Binghamton and Southern Railroad Company; that the petitioner is authorized to construct a railroad in Pennsylvania as well as in this State. It also appears from the petition and accompanying papers and from evidence at the hearing that the line in this State of this petitioner, the Pittsburgh, Binghamton and Eastern Railroad Company, can be improved by the change of route hereinafter described, and which will be about thirty-seven miles long, and that it is to the public

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interest that the route be so changed. Upon the aforesaid petition and accompanying papers and the evidence at the hearing, and after due deliberation, it is

Ordered: That under section 53 of the Public Service Commissions Law the permission and approval of this Commission be given to the change of route of the Pittsburgh, Binghamton and Eastern Railroad Company adopted by the Board of Directors of said corporation on the 6th day of August, 1907, in the words and figures following:

"Resolved, That the Pittsburgh, Binghamton & Eastern Railroad Company, alter and change its route, as in the opinion of the Directors, the same can be improved thereby, as follows: Beginning at the City of Binghamton, in the County of Broome and State of New York and running thence westerly through the Town of Union, in said County and State to a point at or near where the Apalachin Creek flows into the Susquehanna River, in the Town of Owego, Tioga County, New York, crossing the said river at said point and continuing thence north-westerly through the said Town of Owego, Tioga Co., thence westerly through the Town of Nichols, in the County of Tioga, New York, to a point in the boundary line between the States of New York and Pennsylvania, about one half mile southwest of Litchfield Station, in the said Town of Nichols, as more specifically described in the map of location and survey, presented and approved at this meeting and to be filed with the certificate of alteration and change of route;

"And it was further resolved, That the President and Secretary of the Company be and they are authorized to make and execute a proper Certificate of such alteration and change of route and to file such Certificate in the Clerk's Office of the proper County, together with a survey and map of such alteration and change of route."

And that the consent of this Commission be and hereby is given to the construction of said railroad on said changed route.

[See case next following.]

[Case No. 21]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of EBIE RAILROAD COMPANY for a rehearing of the petition of Pittsburgh, Binghamton and Eastern Railroad Company under section 53 of the Public Service Commissions Law for permission to exercise the right under section 13 of the Railroad Law to change the route of the petitioner's railroad and for approval of the exercise of such right.

An order in this matter was made by this Commission on February 24, 1908. On March 30th George N. Orcutt, for Erie Railroad Company, appeared before the Commission and asked that a rehearing in the matter be granted, the Pittsburgh, Binghamton and Eastern Railroad Company being also represented by Theodore R. Tuthill and objecting to the granting of a rehearing. After due consideration, it is

Ordered: 1. That this Commission hereby grants a rehearing in the matter of the petition of Pittsburgh, Binghamton and Eastern Railroad Company under section 53 of the Public Service Commissions Law for permission to exercise the right under section 13 of the Railroad Law to change the route of the petitioner's railroad and for approval of the exercise of such right, in which matter the Commission issued an order on the 24th day of February, 1908.

Ordered: 2. That the Erie Railroad Company shall file with this Commission and serve by mail upon Theodore R. Tuthill, attorney Pittsburgh, Binghamton and Eastern Railroad Company, at his office in the city of Binghamton, a brief in the matter of this rehearing within twenty days from the date of this order, and that Theodore R. Tuthill shall have fifteen days from the service upon him of said brief to file with this Commission and serve by mail upon George N. Orcutt, attorney Erie Railroad Company, at his office in New York city, an answering brief, after which a date for said rehearing shall be named by this Commission.

[See preceding case.]

[Case No. 318]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of THE ROCHESTER ELECTRIC RAILWAY COMPANY, under section 53 of the Public Service Commissions Law, as to construction of and exercise of franchises for certain extensions of its street surface railroad in the village of Charlotte, Monroe county, N. Y.

The Rochester Electric Railway Company on April 28, 1908, filed with this Commission its petition, under section 53 of the Public Service Commissions Law, for permission to construct, maintain, and operate certain extensions of its street surface electric railroad in the village of Charlotte, Monroe county, N. Y., upon routes set forth in the petition, and for permission to exercise a franchise for such construction, maintenance, and operation received from the municipal authorities of said village, a certified copy of said franchise being attached to the petition. There is also attached to the petition copies of consents of abutting property owners to such construction, maintenance, and operation. The Rochester Railway Company, lessee of the Rochester Electric railway, joins in the petition. Upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: That under section 53 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by The Rochester Electric Railway Company of extensions of its street railroad in the village of Charlotte, Monroe county, upon the following described route, to wit:

Commencing at a point in the center line of the east track on Broadway about 367 feet southerly from the south line of Beach avenue (the south line of Beach avenue being assumed 66 feet southerly from and parallel to the present board fence on the north side of Beach avenue); thence northerly along the center line of said east track produced about 140 feet; thence on a curve to the right about 66.5 feet to the east line of Broadway.

Also commencing at a point in the east line of Broadway about 231 feet northerly from the south line of Beach avenue; thence by a curve westerly and southerly about 134 feet to the center line of the west track as now located on Broadway at a point about 150 feet northerly from the south line of Beach avenue.

Also commencing at a point in the center line of the west track as now located on Broadway; thence northerly on the center line of the said west track produced about 288 feet.

Also commencing at a point in the south line of Beach avenue about 103 feet easterly from the east line of Broadway; thence northerly and across

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Beach avenue to a point in the north line of Beach avenue about 97 feet easterly from the east line of Broadway.

And hereby permits and approves the exercise of a franchise for such construction, maintenance, and operation, granted to said company by the president and trustees of the village of Charlotte on April 13, 1908, upon the terms and conditions expressed in said franchise.

[Case No. 306]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

Joint Petition of THE DELAWARE AND HUDSON COMPANY and NEW YORK AND CANADA RAILROAD COMPANY, under sections 53 and 54 of the Public Service Commissions Law, for consent to a merger of the estate, property, rights, privileges, and franchises of the New York and Canada Railroad Company into The Delaware and Hudson Company.

The Delaware and Hudson Company and the New York and Canada Railroad Company having filed with this Commission on the 9th day of April, 1908, a petition under sections 53 and 54 of the Public Service Commissions Law for the permission and approval of the Commission that The Delaware and Hudson Company shall merge with itself the New York and Canada Railroad Company, pursuant to the provisions of section 58 of the Railroad Law; and a public hearing upon said application having been had on the 28th day of April, 1908, at which hearing both of the said companies were represented; and it appearing from the petition and the proof taken at said hearing that The Delaware and Hudson Company is lawfully engaged in the operation of railroads within the State of New York and is the owner of all of the shares of stock of the New York and Canada Railroad Company, amounting to \$5,000,000 preferred stock and \$4,000,000 common stock, and that the said New York and Canada Railroad Company has no funded debt outstanding; and it further appearing to the Commission that The Delaware and Hudson Company has for many years and now is itself operating the railroad of the New York and Canada Railroad Company, as lessee or agent, as constituting a part of one of the divisions of the Delaware and Hudson system of railways and an extension of the line owned and operated by it; and it further appearing to the Commission that the proposed merger would simplify the management, business, and accounts of the operation of the New York and Canada railroad and The Delaware and Hudson Company, and bring the said New York and Canada railroad under the direct ownership of The Delaware and Hudson Company instead of the said The Delaware and Hudson Company having merely control thereof as a holding company; now, upon the aforesaid petition and proof, and after due deliberation, it is

Ordered: That under sections 53 and 54 of the Public Service Commissions Law this Commission does hereby permit and approve the transfer of the franchises and property of the New York and Canada Railroad Company to The Delaware and Hudson Company, and the merger of said New York and Canada Railroad Company with the said The Delaware and Hudson Company, such transfer of franchises and property and such merger to be effected under and in accordance with the laws of the State of New York in such case made and provided.

[Case No. 320]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the matter of the Petition of SYRACUSE AND SOUTH BAY ELECTRIC RAILROAD COMPANY, under section 53 of the Public Service Commissions Law, for permission to exercise and approval of the exercise of a franchise or right to construct and operate an electric wire pole line for the transmission of electricity to operate petitioner's railroad.

An application having heretofore been made, asking the approval of the Public Service Commission to the construction and operation of the transmission line of the petitioner herein, pursuant to section 53 of the Public Service Commissions Law, and the same coming on regularly to be heard, and *P. J. Cawley, esq.*, appearing in person and by *Francis J. Lynch, esq.*, of counsel, and objecting to the construction of said transmission line in Free street, and an adjournment having been duly and regularly taken to ascertain if a better route could not be obtained; and it appearing that permission has been duly given to said petitioner to construct, maintain, and operate an electric transmission line along state lands and over and across the Oswego canal in the city of Syracuse, by the Superintendent of Public Works of the State of New York, which will change the proposed transmission line of said petitioner so as to obviate the objections raised; and the matter coming on regularly to be heard at the above session of this Board, and after hearing *Ernest I. Edgecomb, esq.*, of counsel for said petitioner, and *Francis J. Lynch, esq.*, of counsel for said Cawley, and after reading and filing the petition of said petitioner duly verified the 29th day of April, 1908, and the report of Charles F. Hunter, assistant electrical inspector of this Commission, and due deliberation having been had thereon, and no objection having been raised, it is

Ordered: That permission and approval be and the same hereby is given and granted to the Syracuse and South Bay Electric Railroad Company, the petitioner herein, to the construction and operation of its transmission line over and upon the following described route, to wit:

Beginning at the west line of land belonging to the Halcomb Steel Company in the town of Geddes, county of Onondaga, and State of New York; thence southeasterly through and across lands belonging to said Halcomb Steel Company to the westerly line of land belonging to the Solvay Process Company; thence easterly through and across lands belonging to said Solvay Process Company, crossing The Delaware, Lackawanna and Western Railroad Company's right of way, and crossing Willis avenue in said town of Geddes, to the right of way of the Syracuse, Lake Shore and Northern Railroad Company; thence southeasterly along said right of way, through the town of Geddes and the city of Syracuse, to a point at or near the tollgate of the Lakeside Boulevard Association; thence northerly along the westerly side of Hiawatha street to Free street; thence northerly along the westerly side of Free street to the Oswego canal, near the northerly side of Park street; thence northeasterly, crossing said Oswego canal between locks No. 1 and No. 2; thence northwesterly, parallel to the easterly blue line of the said Oswego canal, to a point at or near the intersection of the northwesterly line of Free street and the southwesterly line of Carbon street in said city of Syracuse; thence parallel to and ten feet distant from the blue line of

the Oswego canal to near the westerly corner of lands belonging to the E. E. Chapman estate; thence northeasterly to the old towpath of the "North Side Cut," so called; thence northeasterly along said towpath to its northeasterly extremity near Seventh North street in said city; thence northeasterly across lands belonging to Thomas K. Gale and across Seventh North street to the right of way of said Syracuse and South Bay Electric Railroad Company.

[Case No. 347]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

Joint Petition of THE DELAWARE AND HUDSON COMPANY and the CHERRY VALLEY, SHARON AND ALBANY RAILROAD COMPANY, under sections 53 and 54 of the Public Service Commissions Law, for consent to a merger of the estate, property, rights, privileges, and franchises of the Cherry Valley, Sharon and Albany Railroad Company into The Delaware and Hudson Company.

The Delaware and Hudson Company and the Cherry Valley, Sharon and Albany Railroad Company having filed with this Commission on the 2d day of June, 1908, a verified petition under sections 53 and 54 of the Public Service Commissions Law for the permission and approval of the Commission that The Delaware and Hudson Company shall merge with itself the Cherry Valley, Sharon and Albany Railroad Company pursuant to the provisions of section 58 of the Railroad Law; and a public hearing upon said application having been had on the 8th day of June, 1908, at which hearing both of the said companies were represented; and it appearing from the petition and the proof taken at said hearing that The Delaware and Hudson Company is lawfully engaged in the operation of railroads within the State of New York, and is the owner of all of the issued shares of stock of the Cherry Valley, Sharon and Albany Railroad Company amounting to \$289,100 common stock, and that the said the Cherry Valley, Sharon and Albany Railroad Company has no funded debt outstanding; and it further appearing to the Commission that The Delaware and Hudson Company has for many years and now is itself operating the railroad of the Cherry Valley, Sharon and Albany Railroad Company under an operating agreement, as constituting a part of one of the divisions of the Delaware and Hudson system of railways: as a branch of the Albany and Susquehanna railroad leased and operated by it; and it further appearing to the Commission that the proposed merger would simplify the management, business, and accounts of the operation of the Cherry Valley, Sharon and Albany Railroad Company and The Delaware and Hudson Company, and bring the said the Cherry Valley, Sharon and Albany Railroad Company under the direct ownership of The Delaware and Hudson Company instead of the said Delaware and Hudson company having merely control thereof as a holding company; now, upon the aforesaid petition and proof, and after due deliberation, it is

Ordered: That under sections 53 and 54 of the Public Service Commissions Law this Commission does hereby permit and approve the transfer of the franchises and property of the Cherry Valley, Sharon and Albany Railroad Company to The Delaware and Hudson Company, and the merger of said the Cherry Valley, Sharon and Albany Railroad Company with the said The

Delaware and Hudson Company, such transfer of franchises and property and such merger to be effected under and in accordance with the laws of the State of New York in such case made and provided.

[Case No. 372]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of June, 1908.

Present:

FRANK W. STEVENS, Chairman.
MARTIN S. DECKER,
JAMES. E. SAGUE,
JOHN B. OLTMSTED,
Commissioners.

In the matter of the Petition of PUTNAM AND WESTCHESTER TRACTION COMPANY, under section 53 of the Public Service Commissions Law, for permission to construct, maintain, and operate its railroad in the town of Cortlandt, Westchester county, and for approval of the exercise of a franchise therefor received from the town board and highway commissioners of said town.

Putnam and Westchester Traction Company on June 22, 1908, filed with this Commission its petition under section 53 of the Public Service Commissions Law for permission to construct, maintain, and operate a single-track railroad and switches, turnouts, turntables, and suitable stands and other appurtenances as may be necessary for the convenient working of said railroad, in the town of Cortlandt, Westchester county; and for approval of the exercise of a franchise dated June 19, 1908, therefor, granted to said company by the town board and the commissioners of highways of said town, the proposition being one with which this Commission is familiar, it having come before it in the matter of the complaint of residents of Westchester and Putnam counties against said company. It appears that the railroad is constructed in said town, and is being in part operated; that defects in its authority were corrected in June, 1908, by the filing of a certificate of change of route and by receiving the franchise to which this order refers. Upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: That under section 53 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the Putnam and Westchester Traction Company in the town of Cortlandt, Westchester county, of a single-track railroad, and switches, turnouts, turntables, and suitable stands and other appurtenances as may be necessary for the convenient working of said railroad; and hereby permits and approves the exercise of a franchise dated June 19, 1908, for such construction, maintenance, and operation granted to said company by the town board and the commissioners of highways of said town, the route of said railroad being described in said franchise, a certified copy of which is filed with this Commission, this Commission hereby determining that such construction and operation and the exercise of said franchise are necessary and convenient for the public service.

[Case No. 20]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLMS TED,
 Commissioners.

In the matter of the Application of the INTERURBAN ELECTRIC EXPRESS COMPANY of Syracuse for permission to exercise rights as an express company on certain railroads in and near Syracuse.

The Interurban Electric Express Company having on September 5, 1907, filed with this Commission its petition, under section 53 of the Public Service Commissions Law, for permission to exercise rights as an express company on certain railroads in and near Syracuse, and hearings having been held on said petition by this Commission, after due notice, at its office in the Capitol, Albany, on September 23, 1907, and March 4, 1908, *William Nottingham* appearing for the petitioner; now, upon the aforesaid petition and the evidence taken at the hearings, and after due deliberation, it is

Ordered: That said petition be and it is hereby denied.

[Case No. 391]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLMS TED,
 Commissioners.

In the matter of the Petition of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY, under section 53 of the Public Service Commissions Law, for permission to construct and operate temporary railroad tracks in the village of Salamanca, and for approval of the exercise of a franchise therefor received from said village.

The Western New York and Pennsylvania Traction Company on July 2, 1908, filed with this Commission its petition, under section 53 of the Public Service Commissions Law, for permission to construct and operate for a limited period railroad tracks in East and West State streets, from New street to a point in West State street opposite the water tanks of the Erie Railroad Company, a distance of about one-half mile, and for approval of the exercise of a franchise therefor received from the board of trustees of said village. It appears that the petitioner is building an extension of its railway from Salamanca to Little Valley; that it intends to procure ballast for said railway from Kill Buck in the town of Great Valley, and to do so it desires to construct temporary railroad tracks in the streets above named, these tracks to be removed by November 1, 1908; that it has

received the consent of the village trustees and the consents of thirty-one out of thirty-seven property owners on the said streets to such temporary construction and operation. Upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: That under section 53 of the Public Service Commissions Law this Commission hereby permits and approves the temporary construction and operation by the Western New York and Pennsylvania Traction Company of railroad tracks in East and West State streets, from New street to a point in West State street opposite the water tanks of the Erie railroad in the village of Salamanca, and hereby permits and approves the exercise of a franchise therefor granted to said company by the board of trustees of said village on June 18, 1908, on condition that operation of cars over said temporary tracks shall cease on or before November 1, 1908, and that said temporary tracks shall be taken up and removed and the said streets restored to the condition in which they were prior to the laying of said tracks on or before December 1, 1908.

[Case No. 137]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23d day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the BUFFALO, LOCKPORT AND ROCHESTER RAILWAY COMPANY, consented to by the Niagara Falls Electrical Transmission Company, under sections 53 and 70 of the Public Service Commissions Law.

The Buffalo, Lockport and Rochester Railway Company having on December 4, 1907, filed with this Commission its petition, under sections 53 and 70 of the Public Service Commissions Law, for consent that the Niagara Falls Electrical Transmission Company may transfer to the petitioner private rights of way and franchises for an electrical transmission line, and that the petitioner may construct and operate said line, the Niagara Falls Electrical Transmission Company consenting to said petition as shown by papers attached thereto, and a hearing on said petition, after public notice and notice to the State Superintendent of Public Works and municipal authorities, having been held by this Commission at its office in the Capitol, Albany, on December 19, 1907; now, after due deliberation, it is

Ordered: That the consent of this Commission be and it is hereby given: (1) that the Niagara Falls Electrical Transmission Company may grant and transfer to the Buffalo, Lockport and Rochester Railway Company the private rights of way for its transmission line referred to and described in the petition of said Buffalo, Lockport and Rochester Railway Company filed with this Commission December 4, 1907, and that the said Buffalo, Lockport and Rochester Railway Company may take and hold the same; (2) that the said Niagara Falls Electrical Transmission Company may assign and transfer to the said Buffalo, Lockport and Rochester Railway Company the municipal consents or franchises set forth and described in said petition, and that the said Buffalo, Lockport and Rochester Railway Company may take, hold, and exercise all the rights conferred or created by said consents; (3) that the said Buffalo, Lockport and Rochester Railway Company may now use the transmission line constructed by it from the South Greece station

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in the county of Monroe to the sub-station in the village of Albion, county of Orleans, in and about the operating of its railroad; that nothing herein contained shall be construed or understood as giving the consent or authorization of this Commission to the holding, use, or exercise by the said Buffalo, Lockport and Rochester Railway Company of any of the rights of way, consents, franchises, or other property or rights herein mentioned for any purpose whatsoever except in connection with the proper operation of its railroad; and this consent is upon the express condition that the said Buffalo, Lockport and Rochester Railway Company shall not transmit or permit to be transmitted over its transmission line constructed along said rights of way and in pursuance of said local consents electricity for any purpose whatsoever, except the proper operation of its railroad as aforesaid, without further application to and consent by this Commission.

[See Case No. 137, November 17, 1908, page 137.]

[Case No. 371]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the ITHACA STREET RAILWAY COMPANY, under section 53 of the Public Service Commissions Law, for permission to construct and exercise franchises for additions to its railway in Ithaca.

The Ithaca Street Railway Company having on June 20, 1908, filed with this Commission its petition, under section 53 of the Public Service Commissions Law, for permission to construct, maintain, and operate additions to its railway in the city of Ithaca, and for approval of the exercise of franchises therefor granted to said company by said city, the routes described in said franchises being as follows:

First franchise; "That the right to lay a single-track street surface railway with all necessary appurtenances upon South Tioga street from the center of East State street, extending in a southerly direction to the intersection with East Green street; thence along East Green street in a westerly direction to the intersection with South Cayuga street; thence along South Cayuga street in a northerly direction to the intersection with State street, be and the same is hereby granted to the Ithaca Street Railway Company, together with the right to erect all necessary poles, wires, and fixtures, with such switches, turnouts, and specials as is necessary along said route in order to enter its car barns, and all switches, turnouts, and specials as may be necessary to make a suitable connection with its tracks at each of its intersections."

Second franchise; "That the right to lay a double-track street surface railway with all necessary appurtenances upon Tioga street from the center of State street extending in a northerly direction to the north side of Falls street, and upon Eddy street from a point 240 feet north of the center line of State street in a southerly direction to State street; thence along State street in a westerly direction to Westport street; thence northerly along Westport street to Buffalo street; thence westerly along Buffalo street to the tracks of the Lehigh Valley Railroad Company, be and the same is hereby granted to the Ithaca Street Railway Company, together with the right to erect all necessary poles, wires, fixtures, curves, switches, and special work."

And a hearing on said petition, after due notice, having been held by this Commission at its office in the Capitol, Albany, on July 7th, *Stuart M. Kohn* appearing for the petitioner, and *Tompkins, Cobb & Cobb* appearing for the Lehigh Valley Railroad Company; now, upon the aforesaid petition and hearing, and after due deliberation, it is

Ordered: 1. That under section 53 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the Ithaca Street Railway Company of additions to its railway in the city of Ithaca, the routes of which are described above, and hereby permits and approves the exercise of two franchises for such construction, maintenance, and operation granted to said company by the city of Ithaca on May 13, 1908, and accepted by said company on June 3, 1908, copies of which franchises are filed with this Commission, this Commission hereby determining that such construction, maintenance, and operation, and the exercise of said franchises are necessary and convenient for the public service.

Ordered: 2. That this order shall take effect upon the proper filing of the necessary consents of property owners and compliance by said company with other requirements of the Railroad Law.

[Case No. 365]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Petition of the ROME AND OSCEOLA RAILROAD COMPANY, under section 59 of the Railroad Law and section 53 of the Public Service Commissions Law.

The Rome and Osceola Railroad Company having on June 11, 1908, filed with this Commission its petition under section 59 of the Railroad Law for a certificate that public convenience and a necessity require the construction of its proposed standard gauge railroad, to be operated by locomotive steam power, electricity, or other mechanical power, beginning in the city of Rome and running twenty-five miles northerly to a point in the south-easterly corner of lot 86 township 13 in the town of Osceola, Lewis county; and under section 53 of the Public Service Commissions Law for permission to construct its said proposed railroad, and for approval of the exercise of the franchise and right to be a railroad company; and a public hearing, after due notice, on said petition having been held by this Commission at its office in the Capitol, Albany, on July 7, 1908, John D. McMahon appearing for the petitioner, and no one else appearing; and proof of the publication, as required by section 59 of the Railroad Law, of the articles of association of said petitioner having been filed; and it appearing that public convenience and a necessity require the construction of the petitioner's railroad as proposed in said articles of association; now, upon the aforesaid petition and accompanying papers and maps, and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That this Commission hereby certifies, under section 59 of the Railroad Law, that the conditions of said section have been complied with by the Rome and Osceola Railroad Company, and that public convenience and a necessity require the construction of the railroad of said company as proposed in its articles of association.

Ordered: 2. That this Commission under section 53 of the Public Service Commissions Law hereby permits and approves the construction of the proposed railroad of the Rome and Osceola Railroad Company, and hereby permits and approves the exercise by said company of the franchise and right to be a railroad company.

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[Case No. 428]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of ROCHESTER RAILWAY COMPANY under section 53 of the Public Service Commissions Law for permission to construct and exercise a franchise for a second track of its railroad on Joseph avenue between Central avenue and Herman street in the city of Rochester.

The Rochester Railway Company having on July 31, 1908, filed with this Commission its petition under section 53 of the Public Service Commissions Law for permission to construct, maintain, and operate a second track of its street surface electric railroad on Joseph avenue between Central avenue and Herman street in the city of Rochester, and for approval of the exercise of a franchise therefor granted to said company by said city; and it appearing that said company has now constructed and in operation a single-track street surface electric railroad on said avenue between said points; now, upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: That under section 53 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the Rochester Railway Company of a second track of its street surface electric railroad on Joseph avenue between Central avenue and Herman street in the city of Rochester, and hereby permits and approves the exercise of a franchise for such construction, maintenance, and operation granted to said company by the city of Rochester, a certified copy of which franchise is filed with this Commission, this Commission hereby determining that such construction, maintenance, and operation, and the exercise of said franchise are necessary and convenient for the public service.

[Case No. 428]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Application of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY for permission and approval to construct an extension of its railroad and to exercise franchises and privileges therefor under section 53 of the Public Service Commissions Law.

On reading and filing the application of Western New York and Pennsylvania Traction Company for the permission and approval of this Commission to the exercise of the franchises and privileges of said petitioner for an ex-

extension of its railroad, pursuant to section 53 of the Public Service Commissions Law, which petition was verified July 3, 1908; and the petitioner having filed with this Commission the agreement of consolidation of the Olean Street Railway Company and Bradford Street Railway Company, forming the petitioning company, Western New York and Pennsylvania Traction Company, a statement of the route of the said extension filed pursuant to section 99 of the Railroad Law, together with due proofs of publication of notice of this hearing in the Republican Press and Cattaraugus Republican, newspapers published in the village of Salamanca, Cattaraugus county, New York, and in the Little Valley Hub, a newspaper published in the village of Little Valley, New York, and proof of personal service of notice of this hearing on the highway commissioners of the towns of Salamanca and Little Valley; and said matter having been brought on for a hearing on the 7th day of August, 1908, at the city of Buffalo, New York, at the time and place stated in said notices, the petitioner appearing by Joseph L. Page its attorney, and the Erie Railroad Company appearing by Hon. Fred A. Robins its counsel, in opposition to said application; and after hearing the proofs and allegations of the parties, and it appearing that public convenience and necessity require the construction of said railroad from Salamanca, New York, to Little Valley, New York, it is

Ordered: That under section 53 of the Public Service Commissions Law said Western New York and Pennsylvania Traction Company be and is hereby granted the permission and approval of the Public Service Commission, Second District, for the construction of its extension of its railroad from the village of Salamanca to and in the village of Little Valley, and to the exercise of its franchises and privileges for the operation of its railroad from the village of Salamanca, Cattaraugus county, New York, to and into the village of Little Valley, Cattaraugus county, New York, as prayed for in its petition filed herein, said franchises being from the local authorities of the village of Salamanca, the village of West Salamanca, the towns of Salamanca and Little Valley, and the village of Little Valley, all in Cattaraugus county.

[Case No. 388]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMLSTED,
Commissioners.

In the matter of the Petition of the CHAMPLAIN AND SANFORD RAILROAD COMPANY, under section 59 of the Railroad Law and section 53 of the Public Service Commissions Law.

The Champlain and Sanford Railroad Company having on June 30, 1908, filed with this Commission its petition, under section 59 of the Railroad Law for a certificate that public convenience and a necessity require the construction of its proposed standard gauge steam railroad from a connection with The Delaware and Hudson Company's railroad at Riverside, Warren county, northerly to Pottersville, along the west side of Schroon Lake to the village of Schroon Lake, to the village of Schroon Falls, and from Schroon Falls northerly and westerly to Sanford Hill in the town of Newcomb, Essex county; and under section 53 of the Public Service Commissions Law for permission to construct its said proposed railroad and for approval of the

exercise of the franchise and right to be a railroad company; and a public hearing on said petition, after due notice, having been held by this Commission in the Capitol, Albany, on July 14, 1908; *Richard L. Hand* appearing for the petitioner, *William P. Rudd* appearing for The New York Central and Hudson River Railroad Company, *Ellis J. Staley* appearing for the Forest, Fish and Game Commission, *G. N. Ostrander* appearing for Finch, Pruyn & Company; and proof of the publication as required by section 59 of the Railroad Law of the articles of association of said petitioner having been filed; and proof of the publication of a certificate of change of route of the petitioner's railroad having been filed; and it appearing that public convenience and a necessity require the construction of the petitioner's railroad as proposed in its articles of association and said certificate of change of route; now, upon the aforesaid petition and accompanying papers and maps, and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That this Commission hereby certifies, under section 59 of the Railroad Law, that the conditions of said section have been complied with by the Champlain and Sanford Railroad Company, and that public convenience and a necessity require the construction of the railroad of said company as proposed in its articles of association and in said certificate of change of route.

Ordered: 2. That this Commission, under section 53 of the Public Service Commissions Law, hereby permits and approves the construction of the proposed railroad of the Champlain and Sanford Railroad Company as proposed in its articles of association and in said certificate of change of route, and hereby permits and approves the exercise by said company of the franchise and right to be a railroad company.

Ordered: 3. That this order, certificate, and approval is made and granted upon condition that the railroad of said Champlain and Sanford Railroad Company shall not be operated by locomotive steam power, but shall be operated by electric power, which condition has been accepted by said company as evidenced by a resolution adopted by its board of directors on August 13, 1908, binding said company to operate its said railroad by electric power, which resolution is on file with this Commission.

[Case No. 300]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMPSTED,
Commissioners.

In the matter of the Petition of the DEXTER AND EASTERN RAILROAD COMPANY, under section 59 of the Railroad Law and section 53 of the Public Service Commissions Law, as to construction.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, a new application having been filed in the name of the Dexter and Northern Railroad Company.

[Case No. 435]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 24th
day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of THE NEW YORK AND NORTH SHORE TRACTION COMPANY under section 53 of the Public Service Commissions Law as to construction of an extension of its railroad from Mineola to Hicksville, Nassau county.

Appearances:

James A. MacElhinney for the petitioner;
Joseph F. Keany for the Long Island Railroad Company;
Chester C. Painter for the board of supervisors of Nassau county and for the town board of Oyster Bay;
Edmund O'Connor for the board of highway commissioners of North Hempstead;
James K. Hicks for the board of highway commissioners of Oyster Bay;
H. A. Berger for the board of trade of Westbury;
Joseph Smith, president of the village of Mineola;
J. H. Hahn, president of the Village Improvement Association of Hicksville.

The New York and North Shore Traction Company having on August 12, 1908, filed with this Commission its petition under section 53 of the Public Service Commissions Law for permission to construct, maintain, and operate an extension of its railroad from Mineola to Hicksville, and in Mineola and Hicksville, Nassau county, and for approval of the exercise of franchises therefor granted by local authorities; and a hearing on said petition, after due notice, having been held by this Commission in the city of Albany on September 24, 1908; now, upon the aforesaid petition and evidence at the hearing, and after due deliberation, it is

Ordered: That under section 53 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by The New York and North Shore Traction Company of an extension of its railroad from Mineola to Hicksville, and in Mineola and Hicksville, Nassau county, from a point in Mineola where Clinton avenue and the right of way of the Long Island Railroad Company intersect east of said right of way, thence easterly continuing on Clinton avenue (which, east of said right of way, is a private highway) to and across the Roslyn road; thence easterly in almost a straight line on and along private property to the Glen Cove road, crossing the same; thence on and along private property in a southeasterly direction to Westbury avenue, in the property of the Mineola Park Company; thence easterly on and along said Westbury avenue (private highway) to Turtle Hook road, otherwise known as Carle avenue, crossing the same; thence easterly on and along Maple avenue (here a private road) to Ellison avenue in Westbury, crossing the same; thence easterly still on and along Maple avenue in Westbury (here a town road) to School street; thence easterly still on and along Maple avenue (here a private highway) to Union street; thence northeasterly on and along Union street (a town road) to a point on private property somewhat south of the westerly end of Prospect street in New Cassel; thence easterly on a curve through private property from Union street to said Prospect street; thence easterly on and along Prospect street in New Cassel (a private highway) to John street at the dividing line between the towns of North Hempstead and Oyster Bay; thence easterly on and along John street (a town road) to Broadway in the village of Hicks-

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ville; thence southerly on and along said Broadway (a county road) to the right of way of the Long Island railroad at Hicksville; and hereby permits and approves the exercise of franchisees for such construction, maintenance, and operation granted to said company by authorities, as follows: Franchise from the board of commissioners of highways of the town of North Hempstead, Nassau county, adopted March 3, 1908; franchise from the board of commissioners of highways of the town of North Hempstead, Nassau county, adopted September 8, 1908; franchise from the town board of the town of North Hempstead, Nassau county, adopted September 11, 1908; modified franchise from the board of commissioners of highways of the town of North Hempstead, Nassau county, dated September 8, 1908; franchise from the board of commissioners of highways of the town of Oyster Bay, Nassau county, adopted March 5, 1908; franchise from the town board of the town of Oyster Bay, Nassau county, adopted May 23, 1908; modified franchise from the board of commissioners of highways of the town of Oyster Bay, Nassau county, dated August 26, 1908; franchise from the board of supervisors of Nassau county, adopted September 8, 1908; permit from the State Engineer and Surveyor granted September 4, 1908; this Commission hereby determining that such construction, maintenance, and operation, and the exercise of said franchises and permit are necessary and convenient for the public service.

Ordered: 2. That that portion of the proposed route in the village of Mineola mentioned in the petition, as follows: "beginning at the present tracks of your petitioner on Willis avenue in the village of Mineola, Nassau county, New York, at the junction of said Willis avenue and Clinton avenue, thence easterly on and along Clinton avenue to the right of way of the Long Island railroad," is not now passed upon by the Commission.

[Case No. 425]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the NEWTON FALLS
AND NORTHERN RAILROAD under section 59 of the
Railroad Law and section 53 of the Public Service
Commissions Law.

The Newton Falls and Northern Railroad having on July 23, 1908, filed with this Commission its petition under section 59 of the Railroad Law for a certificate that public convenience and necessity require the construction of its standard gauge steam railroad from Newton Falls to New Bridge, in St. Lawrence county, a distance of about six and one-half miles; and under section 53 of the Public Service Commissions Law for approval of the exercise of the franchise and right to be a railroad company; and a public hearing on said petition, after due notice, having been held by this Commission in the Capitol, Albany, on November 9, 1908, William Gillen appearing for the petitioner; and it appearing that the petitioner has agreed to purchase a certain private standard gauge steam railroad owned and operated by the Robert W. Higbie Company as a lumber railroad, which is the railroad to which this petition relates, and that the entire course of said railroad is through timber lands owned by the Newton Falls Paper Company and the Robert W. Higbie Company, and that no highways are crossed by said railroad; and it appearing that the object of this petition is that this con-

structed railroad may be operated by a railroad company; and it appearing that public convenience and a necessity require the construction of the petitioner's said railroad as proposed in its articles of association; now, upon the aforesaid petition and accompanying papers and maps, and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That this Commission hereby certifies, under section 59 of the Railroad Law, that the conditions of said section have been complied with by the Newton Falls and Northern Railroad, and that public convenience and a necessity require the construction of the said railroad of said company as proposed in its articles of association.

Ordered: 2. That this Commission, under section 53 of the Public Service Commissions Law, hereby permits and approves the exercise by said company of the franchise and right to be a railroad company.

[Case No. 345]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

Petition of THE LITTLE RIVER RAILROAD, under section 59 of the Railroad Law and section 53 of the Public Service Commissions Law.

After due deliberation, it is

Ordered: That this petition be dismissed, in compliance with request from attorney for petitioner.

[Case No. 137]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Petition of the BUFFALO, LOCKPORT AND ROCHESTER RAILWAY COMPANY, consented to by the Niagara Falls Electrical Transmission Company, under sections 53 and 70 of the Public Service Commissions Law.

Whereas, In the application of the Buffalo, Lockport and Rochester Railway Company for leave to take an assignment of the franchise granted to the Niagara Falls Electrical Transmission Company and to exercise the said franchise, this Commission did, on the 23rd day of July, 1908, authorize the assignment by the said Niagara Falls Electrical Transmission Company to the said Buffalo, Lockport and Rochester Railway Company of a certain franchise theretofore granted to said Niagara Falls Electrical Transmission

Company by the village of Middleport on the 6th day of August, 1907, and authorized the said Buffalo, Lockport and Rochester Railway Company to exercise the said franchise, the following being the language of the order to that effect: "(2) That the said Niagara Falls Electrical Transmission Company may assign and transfer to the said Buffalo, Lockport and Rochester Railway Company the municipal consents or franchises set forth and described in said petition, and that the said Buffalo, Lockport and Rochester Railway Company may take, hold, and exercise all the rights conferred or created by said consents"; and

Whereas, Prior to said 23rd day of July, 1908, the route for the construction of a transmission line through the village of Middleport described in the franchise granted by the said village of Middleport had been disapproved by this Commission as an improper route, and negotiations had been had looking to a selection of another route through said village; and

Whereas, This Commission did inadvertently approve the said franchise granted by the village of Middleport; and

Whereas, The Commission is now of the opinion, as it has been at all times, that the route described in the franchise heretofore granted by the village of Middleport is an improper route for the construction of a high-tension electrical transmission line through the said village; and

Whereas, The said Buffalo, Lockport and Rochester Railway Company has not constructed any electrical transmission line along and upon the route described in the said franchise granted by the said village of Middleport, and has not in any manner exercised the said franchise; now, therefore,

Ordered: That so far as it is permitted by law to do, this Commission rescinds and annuls its action approving of the said franchise granted by the village of Middleport as aforesaid on the 6th day of August, 1907, and refuses its assent to the exercise of such franchise for the construction of an electrical transmission line thereon; and it is further

Ordered: That this Commission declines to direct the manner of construction of any electrical transmission line over or along the route described in said franchise, or in any manner to assent to the construction of such electrical transmission line.

[See Case No. 137, July 23, 1908, page 129.]

[Case No. 523]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 17th day
of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBOENE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of THE NEW YORK
CENTRAL AND HUDSON RIVER RAILROAD COMPANY,
under section 53 of the Public Service Commissions
Law and section 60 of the Railroad Law.

The New York Central and Hudson River Railroad Company having on October 21, 1908, filed with this Commission its petition, under section 53 of the Public Service Commissions Law for permission to construct and operate a single-track branch or siding of its railroad from a point easterly of and near the Cambria station on what is known as the Falls line of said

railroad, in the town of Cambria, Niagara county, in a northerly and westerly direction for about three and one-half miles, to and into the limestone quarries of the Lackawanna Iron and Steel Company in the town of Lewiston, Niagara county, said branch or siding to be located in said two towns alone; and to construct and operate in the said town of Cambria an additional single-track siding about six hundred feet long from a connection with said longer branch or siding at or near the intersection of said longer branch or siding with the town-line road highway; and for approval of the exercise of its rights for such construction and operation under the Railroad Law, and under orders of the Supreme Court as to crossing highways, said sidings to be used only for freight purposes; said petition also asking for an order determining, under section 60 of the Railroad Law, the manner in which said sidings shall cross highways; and public hearings on said petition, after due notice, having been held by this Commission in the city of Buffalo on October 30 and November 4, 1908, *Hoyt & Spratt* appearing for the petitioner, and *Louis L. Babcock* appearing for the Lackawanna Iron and Steel Company, in favor of the petition; now, upon the aforesaid petition and accompanying papers and evidence at the hearings, and after due deliberation, and this Commission determining that such construction and exercise of rights will be convenient for the public service, it is

Ordered: 1. That this Commission hereby permits The New York Central and Hudson River Railroad Company to construct and operate a single-track branch or siding of its railroad from a point easterly of and near the Cambria station on what is known as the Falls line of said railroad, in the town of Cambria, Niagara county, in a northerly and westerly direction for about three and one-half miles to and into the limestone quarries of the Lackawanna Iron and Steel Company in the town of Lewiston, Niagara county, said branch or siding to be located in said two towns alone; and to construct and operate in said town of Cambria an additional single-track siding about six hundred feet long, from a connection with said longer branch or siding at or near the intersection of said longer branch or siding with the town-line road highway; and hereby permits the exercise of the rights of said company for such construction and operation under the Railroad Law, and under orders of the Supreme Court as to crossing the highways herein-after named, made by Mr. Justice Pound in the city of Buffalo on October 5, 1908.

Ordered: 2. That said longer branch or siding and said shorter siding shall be used for freight purposes only.

Ordered: 3. That this Commission hereby determines, under section 60 of the Railroad Law, that it is impracticable for said longer branch or siding to cross otherwise than at grade the highways hereinafter named, and therefore hereby determines that said longer branch or siding shall cross at grade the following named highways in said towns of Cambria and Lewiston, to wit:

NIAGARA COUNTY.

Town of Cambria.—First crossing: Over the "New Road," so called, at a point about three hundred and fifty (350) feet east of Cambria station; Second crossing: "Campbell's Highway," at a point about two rods east of the northeast corner of lands of W. A. Rietz; Third crossing: "Evergreen Road," at a point about seven hundred and fifty (750) feet south of its intersection with the "Mountain Highway"; Fourth crossing: "Mountain Highway," at a point about five hundred and seventy-five (575) feet west of its intersection with the "Evergreen Road"; Fifth crossing: "Town line Highway," at a point about fifty (50) feet south of its intersection with the "Lower Mountain Highway".

Town of Lewiston.—First crossing: "Town-line Highway," at a point about fifty (50) feet south of its intersection with the "Lower Mountain Highway"; Second crossing: "Lower Mountain Road," at a point about one hundred (100) feet northwesterly from its intersection with the "Town-line Highway".

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Ordered: 4. That this Commission hereby determines, under section 60 of the Railroad Law, that it is impracticable for said shorter siding to cross otherwise than at grade the town-line highway, and therefore hereby determines that said crossing shall be made at grade.

[Case No. 75]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Petition of the SCHENECTADY RAILWAY COMPANY, under section 53 of the Public Service Commissions Law, for permission to construct an extension of its railroad in the village of Scotia, Schenectady county.

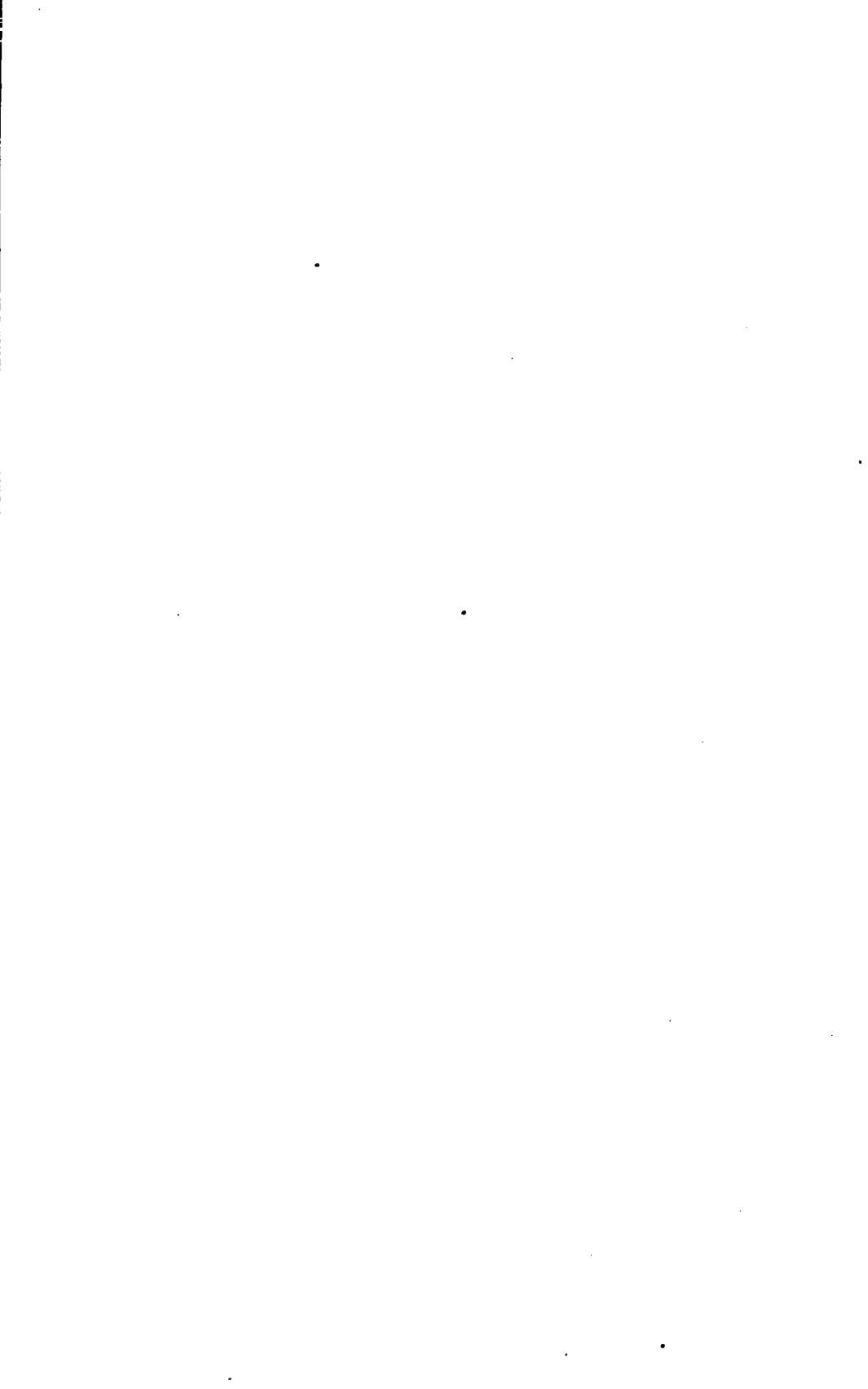
The Schenectady Railway Company having filed with this Commission a petition, under section 53 of the Public Service Commissions Law, for permission to construct, maintain, and operate a single-track extension of its street railroad in the village of Scotia, Schenectady county, upon a route beginning at a point on Ballston avenue at or near the junction with Wallace avenue, where its track is now laid, and extending along said Wallace avenue to Douglass street; thence along Douglass street to Vley road; thence along Vley road to the Boston and Maine Railroad depot; and it appearing that said so called Wallace avenue and Douglass street are private property; and it appearing that said company has received from said village a consent authorizing it to construct its said railroad upon the street known as Vley road from Douglass street to the Boston and Maine Railroad depot, and has received the consents of the owners of more than one-half in assessed value of the property bounded on said Vley road between Douglass street and the Boston and Maine Railroad depot, to the construction of a single-track street railroad upon said portion of said street; and has received the consents of the owners of the property known as Wallace avenue and Douglass street to the construction of its railroad on said property; and a hearing having been held by this Commission on March 3, 1908, on a complaint from the president of said village against said company, the object of said complaint being to compel said company to construct the extension of its railroad covered by this petition; now, upon the aforesaid petition and accompanying papers and the statements at said hearing, and after due deliberation, and this Commission determining that such construction is necessary and will be convenient for the public service, it is

Ordered: That said petition be and it is hereby granted, and this Commission hereby permits and approves the construction, operation, and maintenance by the Schenectady Railway Company of a single-track extension of its street railroad in the village of Scotia, Schenectady county, upon the following route: Beginning at a point on Ballston avenue at or near the junction with Wallace avenue, where its track is now laid, and extending along said Wallace avenue to Douglass street; thence along Douglass street to Vley road; thence along Vley road to the Boston and Maine Railroad depot.

[See Case No. 75, December 18, 1908, page 470.]

APPENDIX B.

**IN THE MATTER OF TRANSFER, LEASE, OR ASSIGNMENT OF
FRANCHISE BY RAILROAD CORPORATIONS.**



APPENDIX B.

[Case No. 198]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of January, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBOENE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition under section 54 of the Public Service Commissions Law of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY and the NEW YORK AND OTTAWA RAILWAY COMPANY for approval of proposed lease of the New York and Ottawa railroad to The New York Central and Hudson River Railroad Company.

The above mentioned petition having been received and filed, now, after due deliberation, it is

Ordered: That the proposed lease of the New York and Ottawa railroad to The New York Central and Hudson River Railroad Company for the term of one year, commencing February 1, 1908, said lease being fully set forth in the petition of the said The New York Central and Hudson River Railroad Company and of the New York and Ottawa Railway Company, verified the 28th day of January, 1908, asking the approval thereof by this Commission, be and the same is hereby approved.

[Case No. 284]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of THE DELAWARE AND HUDSON COMPANY, under section 54 of the Public Service Commissions Law, for authority to acquire one share of the common capital stock of the New York and Canada Railroad Company.

The Delaware and Hudson Company on March 28, 1908, filed with this Commission a petition, under section 54 of the Public Service Commissions Law, for authority to acquire one share of the common capital stock of the New York and Canada Railroad Company, of the par value of \$100. It appears from the petition that the New York and Canada Railroad Company has outstanding \$5,000,000 of preferred capital stock and \$4,000,000 of

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common capital stock; that all of this preferred and common capital stock is owned by The Delaware and Hudson Company, except one share of the common capital stock of the par value of \$100; that recently this one share was acquired in his own name by an officer of this petitioner, who paid therefor \$1500; that said officer is willing to sell said share of stock to this petitioner for \$1500. Upon the aforesaid petition, and after due deliberation, it is

Ordered: That under section 54 of the Public Service Commissions Law, The Delaware and Hudson Company is hereby authorized by this Commission to acquire, at a price not to exceed \$1500, the one share of common capital stock of the New York and Canada Railroad Company not now owned by The Delaware and Hudson Company.

[Case No. 302]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Joint Petition, under section 54 of the Public Service Commissions Law, of the DOLGEVILLE AND SALISBURY RAILWAY COMPANY and the LITTLE FALLS AND DOLGEVILLE RAILROAD COMPANY, for approval of a proposed agreement for the operation of the Dolgeville and Salisbury railway by the Little Falls and Dolgeville Railroad Company.

The Little Falls and Dolgeville Railroad Company and the Dolgeville and Salisbury Railway Company on April 7, 1908, filed with this Commission their joint petition, under section 54 of the Public Service Commissions Law, asking the Commission to approve, so far as operation of the Dolgeville and Salisbury railway is concerned, a contract dated January 16, 1908, between said companies and The Salisbury Steel and Iron Company. A hearing on this petition was held by this Commission at the office of the Commission in the Capitol, Albany, on April 7th. *Albert M. Mills* appeared for the petitioner.

It appears from the petition that the Dolgeville and Salisbury railway (to be operated by steam) has just been completed, but has not yet been put in operation; that the line of said railway extends from a connection with the Little Falls and Dolgeville railroad in the village of Dolgeville, northerly about five miles, to a point near the line of The Salisbury Steel and Iron Company, in the town of Salisbury, all in the county of Herkimer; that it is proposed that the new railway shall be operated as an integral part of the Little Falls and Dolgeville railroad. Upon the aforesaid petition, and after due deliberation, it is

Ordered: That this Commission, under section 54 of the Public Service Commissions Law, hereby approves an agreement dated January 16, 1908, between the Little Falls and Dolgeville Railroad Company, the Dolgeville and Salisbury Railway Company, and The Salisbury Steel and Iron Company, so far as said agreement provides for the operation of the Dolgeville and Salisbury railway by the Little Falls and Dolgeville Railroad Company.

[Case No. 303]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 9th day
of April, 1908.**

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 JAMES E. SAGUE,
 Commissioners.

In the matter of the Joint Petition, under section 54 of the Public Service Commissions Law, of the ROCHESTER AND SUBURBAN RAILWAY COMPANY and ROCHESTER RAILWAY COMPANY, for approval of a proposed lease for a term of one year from April 15, 1908, by the Rochester Railway Company, of that portion of the railway of the Rochester and Suburban Railway Company extending from Rochester to Summerville.

The above mentioned petition having been received and filed, now, after due deliberation, it is

Ordered: That the proposed lease for the term of one year from April 15, 1908, by the Rochester Railway Company, of that portion of the railway of the Rochester and Suburban Railway Company extending from Rochester to Summerville, the terms of said proposed lease being fully set forth in the joint petition under section 54 of the Public Service Commissions Law of said companies in this matter and papers attached to said petition, is hereby approved.

[Case No. 408]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 16th day
of July, 1908.**

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 JAMES E. SAGUE,
 Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, under section 54 of the Public Service Commissions Law, for authority to purchase, acquire, and hold such shares of the capital stock of the Little Falls and Dolgeville Railroad Company as the petitioner does not now own.

The New York Central and Hudson River Railroad Company on July 16, 1908, filed with this Commission a petition, under section 54 of the Public Service Commissions Law, for authority to purchase and hold 69.54 shares of the capital stock of the Little Falls and Dolgeville Railroad Company. It appears that the total capital stock of the Little Falls and Dolgeville Railroad Company is \$250,000, divided into 2500 shares; that this stock is all outstanding; that this petitioner now owns 2430.46 of said shares, and desires authority to purchase the remaining shares from time to time, as they may be offered. Upon the aforesaid petition, and after due deliberation, it is

Ordered: That consent be and the same hereby is given, pursuant to section 54 of the Public Service Commissions Law, that The New York Central and Hudson River Railroad Company may from time to time, as opportunity affords, purchase, acquire, and hold 69.54 shares of the capital stock of the Little Falls and Dolgeville Railroad Company, at a price not exceeding \$100 per share, and that an order issue accordingly.

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[Case No. 352]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,

Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, under section 54 of the Public Service Commissions Law for authority to purchase and hold certain shares of the capital stock of street railroad companies.

The New York Central and Hudson River Railroad Company having on June 3, 1908, filed with this Commission its petition under section 54 of the Public Service Commissions Law for authority to acquire and hold certain shares of the capital stock of certain street railroad companies hereinafter named; and a hearing having been held on said petition by this Commission at its office in the Capitol, Albany, on June 3, 1908, *Walter N. Kernal* appearing for the petitioner; and it appearing from the petition and accompanying papers and from evidence at the hearing that The Mohawk Valley Company, a corporation organized and existing under the laws of this State, is the owner of a majority of the capital stock of the street surface railroad companies hereinafter named, except the Schenectady Railway Company, of the capital stock of which it owns one-half; and that this petitioner by reason of its ownership of a majority of the capital stock of The Mohawk Valley Company is in fact in control of the railroads of all the railroad companies hereinafter named, except the Schenectady Railway, of which, as stated, The Mohawk Valley Company owns one-half the capital stock; and it further appearing that through the acquirement, in the manner hereinafter authorized, by this petitioner of control by direct ownership of stock of the railroads of the companies hereinafter named, funds to meet demands of the public for extensions, improvements, and new equipment of the railroads of the companies in question may more readily be provided than under the present conditions; now, upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: 1. That under section 54 of the Public Service Commissions Law The New York Central and Hudson River Railroad Company be and it is hereby authorized to acquire from The Mohawk Valley Company, by receiving them upon a reduction of the capital stock of the said The Mohawk Valley Company in lieu of capital stock of said The Mohawk Valley Company owned by it which will be retired upon such reduction, and hold, the following street railroad stocks: Utica and Mohawk Valley Railway Company, preferred, 15,000 shares; Utica and Mohawk Valley Railway Company, common, 30,000 shares; Oneida Railway Company, 11,536 1/2 shares; Syracuse Rapid Transit Railway Company, preferred, 2023 8/10 shares; Syracuse Rapid Transit Railway Company, common, 11,881 2/10 shares; Rochester and Eastern Rapid Railway Company, 9000 shares; Schenectady Railway Company, 12,300 shares; The Rochester Electric Railway Company, 1043 1/2 shares; Rochester and Suburban Railway Company, 2404 1/2 shares; The Rochester and Sodus Bay Railway Company, 6600 shares; Ontario Light and Traction Company, 600 shares; Rochester Railway Company, 5% shares; that upon the acquirement by The New York Central and Hudson River Railroad Company of said shares of the capital stock of said companies, it shall make a verified report to this Commission, setting forth in detail the manner of the acquirement of said shares of said capital stock, in accordance with the requirements of this order.

Ordered: 2. That under section 54 of the Public Service Commissions Law The New York Central and Hudson River Railroad Company be and it is hereby authorized to acquire, take, and hold 82,741 $\frac{1}{2}$ shares of the capital stock of the Rochester and Eastern Rapid Railway Company, upon the following terms and conditions: When the capital stock of the said Rochester and Eastern Rapid Railway Company shall have been lawfully increased from its present amount of \$1,500,000 to the maximum amount of \$15,290,200, thus making an increase in the authorized amount of \$13,790,200, the said The New York Central and Hudson River Railroad Company may and it is hereby authorized to sell and deliver to the said Rochester and Eastern Rapid Railway Company the following stocks to be acquired by it from The Mohawk Valley Company, pursuant to an authorization granted by this Commission concurrently herewith: Syracuse Rapid Transit Railway Company, preferred, 2023 8/10 shares; Syracuse Rapid Transit Railway Company, common, 11,881 2/10 shares; Utica and Mohawk Valley Railway Company, preferred, 15,000 shares; Utica and Mohawk Valley Railway Company, common, 30,000 shares; Oneida Railway Company, 11,536 2/10 shares; Schenectady Railway Company, 12,300 shares; and the said Rochester and Eastern Rapid Railway Company, upon the transfer to it of the aforesaid stocks, is hereby authorized to issue and deliver to the said The New York Central and Hudson River Railroad Company, and the said The New York Central and Hudson River Railroad Company is hereby authorized to acquire, take, and hold, for and in consideration of the stocks so transferred by it to the Rochester and Eastern Rapid Railway Company, the aforesaid 82,741 $\frac{1}{2}$ shares of the capital stock of the said Rochester and Eastern Rapid Railway Company; that upon the acquirement by The New York Central and Hudson River Railroad Company of said shares of the capital stock of said companies, it shall make a verified report to this Commission, setting forth in detail the manner of the acquirement of said shares of said capital stock, in accordance with the requirements of this order.

Ordered: 3. That under section 54 of the Public Service Commissions Law The New York Central and Hudson River Railroad Company be and it hereby is authorized to purchase from the Rochester Railway and Light Company and hold 29,987 shares of the common stock of the Rochester Railway Company for the sum of \$4,500,000, said purchase price to be paid by the note of The Mohawk Valley Company for that amount, executed and delivered by said The Mohawk Valley Company to the said The New York Central and Hudson River Railroad Company, and to be secured by collateral satisfactory to the officers of the said Rochester Railway and Light Company, said note and collateral thereto to be held in escrow by the trustee in the manner set forth in the petition asking for this authorization, until the said stock of the Rochester Railway Company is released from the lien of the general mortgage executed by said Rochester Railway and Light Company; that upon the acquirement by The New York Central and Hudson River Railroad Company of said shares of the capital stock of said Rochester Railway Company, it shall make a verified report to this Commission, setting forth in detail the manner of the acquirement of said shares of said capital stock, in accordance with the requirements of this order.

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[Case No. 418]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 28th day
of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Application of FREDERIC CULVER
and GRANVILLE WHITTLESEY, Reorganization Com-
mittee, for leave to pledge all of the preferred and
common stock of the Geneva, Waterloo, Seneca Falls
and Cayuga Lake Traction Company with the West
End Trust Company of Philadelphia, Pa., as collateral
security for the payment of a loan of \$300,000.

On reading and filing the petition in the above entitled proceeding of Fred-
eric Culver and Granville Whittlesey, reorganization committee, verified the
27th day of July, 1908, and after hearing said petitioners and their counsel,
and on motion made, it is

Ordered and directed, That the prayer of said petition be granted, and that
the West End Trust Company of Philadelphia, Pa., be and the same hereby is
authorized and empowered to receive a pledge from Frederic Culver and
Granville Whittlesey, reorganization committee, pursuant to the provisions
of section 54 of the Public Service Commissions Law, of one hundred thousand
dollars (\$100,000) par value of the preferred capital stock and three hundred
and fifty thousand dollars (\$350,000) par value of the common capital stock,
being all of the capital stock of the Geneva, Waterloo, Seneca Falls and
Cayuga Lake Traction Company, as collateral security for the payment of a
loan of three hundred thousand dollars (\$300,000), to be payable at such
time or times as may be arranged with said trust company by the said Fred-
eric Culver and Granville Whittlesey, reorganization committee as aforesaid,
with interest on said loan at not exceeding 6 per cent. per annum.

[Case No. 439]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 19th
day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
Commissioners.

In the matter of the Application of KENDALL B. CASTLE
for approval of the assignment and transfer of the
franchises and property of the Rochester, Charlotte
and Manitou Railroad Company.

Kendall B. Castle having on August 13, 1908, filed with this Commission
a petition for the approval of the transfer by him to the Rochester and
Manitou Railroad Company of all the property and franchises of the Roches-
ter, Charlotte and Manitou Railroad Company, purchased by him upon a
sale in an action in the Supreme Court of the State of New York for the
foreclosure of a mortgage given by said Rochester, Charlotte and Manitou
Railroad Company to the Security Trust Company of Rochester, N. Y., as

trustee for bondholders, wherein said Security Trust Company of Rochester as such trustee was plaintiff, and said Rochester, Charlotte and Manitou Railroad Company was defendant, which sale was approved by order of the Supreme Court of the State of New York granted on the 25th day of July, 1908, for fifty thousand dollars (\$50,000) of the capital stock of said Rochester and Manitou Railroad Company; and hearings having been held on such petition in the city of Albany on August 12, 1908, and the city of Buffalo on August 14, 1908; now, upon the aforesaid petition and accompanying papers and evidence at the said hearings, after due deliberation, it is

Ordered: That the transfer by Kendall B. Castle to the Rochester and Manitou Railroad Company of all the property and franchises formerly owned by the Rochester, Charlotte and Manitou Railroad Company, be and the same is hereby approved by this Commission, and said Rochester and Manitou Railroad Company is hereby authorized to purchase the said property, franchises, and rights so owned by the said Kendall B. Castle upon the terms and conditions set forth in the petition of the said Castle and of the said railroad company, respectively.

[See Case No. 315, April 21, 1908, page 401; and Case No. 315, July 7, 1908, page 170.]

[Case No. 493]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Joint Petition of the SOUTH SHORE TRACTION COMPANY and the SUFFOLK TRACTION COMPANY under section 54 of the Public Service Commissions Law.

Whereas, The South Shore Traction Company and the Suffolk Traction Company, street railroad corporations, both claim to have heretofore acquired, under certificates of convenience and a necessity granted to them respectively by the former Board of Railroad Commissioners and franchises granted to them respectively by the proper local authorities of the town of Islip in the county of Suffolk, rights to construct street railroads in said town of Islip over practically the same route, which alleged rights are inconsistent and conflicting, have been and are the subject of extensive litigation and dispute as yet undetermined in the courts; and

Whereas, The existence of said controversies has prevented and will tend to prevent the construction of the proposed railroad of either of said companies through said town of Islip, the construction and operation of one of them being a manifest advantage and convenience to the public; and

Whereas, Said corporations have by negotiation reached an adjustment of all their said controversies which permits the construction of one line of railroad through said town and its operation, have reduced their said agreement to writing, have asked by their joint petition filed with this Commission September 24, 1908, for the approval of this Commission of all such parts of said agreement as require its consent and approval; and

Whereas, A public hearing has been given on the 19th day of October, 1908, on said joint petition, due public notice of said hearing having been first given by publication and otherwise; and

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Whereas, It appears that the construction of a street railroad through said town of Islip will be facilitated by the approval of said agreement, that no public interest is contravened by the same, that none of the public authorities of said town and no individual appears after the aforesaid notice in opposition to the giving of such approval;

Ordered: That the proposed agreement between said corporations, being schedule A annexed to said joint petition and referred to therein, be and hereby is approved pursuant to section 54 of the Public Service Commissions Law; and that each of said corporations be authorized and empowered to enter into, execute, and deliver the said agreement, and assign, transfer and lease, and accept the assignment, transfer and lease of the several rights, franchises, and privileges as therein specified.

APPENDIX C.

IN THE MATTER OF ISSUE OF STOCKS, BONDS, AND OTHER
EVIDENCES OF INDEBTEDNESS BY RAILROAD CORPORATIONS.

APPENDIX C.

[Case No. 33]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 25th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the EASTERN NEW YORK RAILROAD COMPANY, under section 55 of the Public Service Commissions Law, for authority to issue \$840,000 in capital stock and \$840,000 in mortgage bonds.

This petition was filed with the former Board of Railroad Commissioners on June 13, 1907, and was continued before this Commission, a hearing being held thereon on July 17, 1907, at which *Hiram C. Todd* appeared for the petitioner. The hearing was adjourned until July 24th, but was postponed from that date, and was subsequently postponed from time to time, at the request of the petitioner. The petitioner not having proceeded further in the matter, it is

Ordered: That the petition be and it is hereby dismissed for lack of prosecution.

[Case No. 28]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of ERIC RAILROAD COMPANY, under section 55 of the Public Service Commissions Law, for authority to issue dividend warrants.

The Erie Railroad Company on September 10, 1907, filed with this Commission its petition, under section 55 of the Public Service Commissions Law, for authority to issue dividend warrants, bearing interest at the rate of four per centum per annum, evidencing the right of holders thereof to receive dividends declared on August 28, 1907, by the directors of the company to the holders of record of the first preferred capital stock and of the second preferred capital stock of the company.



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STATE OF NEW YORK,
B. COMMISSION, SECOND DISTRICT.

Public Service Commission, Second
the Capitol, Albany, on the 31st day

on of the ROCHESTER
MPANY for consent to
age for \$8,000,000, and
issuing of bonds to the
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of capital stock to the

Amira Traction Company on April 23, 1907, filed
Railroad Commissioners its petition for consent to
\$8,000,000. By operation of statute that petition
tion, and the company also filed with this Com-
asking consent to the execut^e proposed
issue \$8,000,000 in bonds to b v, and
0,000 common capital stock o \$100

A hearing on this petition was held by this Commission at its office in the Capitol, Albany, on September 25, 1907. *John B. Stanchfield, esq.*, appeared for the petitioner; *Morgan, Morgan & Carr* appeared for Leonard Schmidt of Chicago, owner of fifteen hundred shares of the first preferred stock, in opposition.

From the petition and accompanying papers and from statements of counsel for the company at the hearing it appears that the company proposes to give to the stockholders four per centum interest bearing warrants, evidencing the right of the several and respective stockholders of its first and second preferred capital stock to the said dividends, which are two per centum upon the first preferred capital stock, payable October 1, 1917, and four per centum upon the second preferred capital stock, payable November 1, 1917, in two instalments of two per centum each, one to stockholders of record October 10, 1907, and the other to stockholders of record April 10, 1908. Upon the aforesaid petition and accompanying papers and statements at the hearing, and after due deliberation, it is

Ordered: That said petition be and it is hereby denied.

[Case No. 191]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the ELMIRA WATER, LIGHT AND RAILROAD COMPANY, under sections 55 and 69 of the Public Service Commissions Law, for authority to issue three hundred and seventy-two gold bonds of the denomination of \$1000 each, to be secured by the first consolidated mortgage of said company dated September 1, 1906.

The Elmira Water, Light and Railroad Company on January 17, 1908, filed with this Commission its petition, under sections 55 and 69 of the Public Service Commissions Law, for authority to issue three hundred and seventy-two gold bonds of the denomination of \$1000 each, to be secured by the first consolidated mortgage of said company dated September 1, 1906, for \$5,000,000.

A hearing, after public notice, was held on said petition at the office of this Commission at the Capitol, Albany, on the 5th day of February, 1908. *Philbin, Beekman & Menken* appeared for the petitioner; no one else appeared. From the petition and accompanying papers and from evidence at the hearing it appears that there are now outstanding, secured by said mortgage, \$1,232,000 in bonds; that the proceeds of the three hundred and seventy-two bonds proposed now to be issued are to be used for refunding certain outstanding notes of the company, to pay balances due on contracts for electric and railroad work, and to pay for new electric, railroad, and gas work, these items amounting in total to \$296,519.33, which is approximately eighty per centum of the par of the three hundred and seventy-two bonds proposed to be issued; that the company expects to obtain eighty for these bonds.

In the opinion of this Commission, from the petition and accompanying papers and from the evidence at the hearing, the use of the capital to be secured by the issue by this petitioner of the three hundred and seventy-two bonds of the denomination of \$1000 each, hereinafter authorized, is reasonably

required for the said purposes of the corporation: namely, the refunding certain of its obligations, and the completion, extension, and improvement of its plant as described in the petition and accompanying papers and evidence at the hearing. Upon the aforesaid petition and accompanying papers and from evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under sections 55 and 69 of the Public Service Commissions Law this Commission hereby authorizes Elmira Water, Light and Railroad Company to issue three hundred and seventy-two bonds of the denomination of \$1000 each, to be secured by the first consolidated mortgage of said company dated September 1, 1906.

Ordered: 2. That said three hundred and seventy-two bonds shall not be sold for less than eighty per centum of their par value.

Ordered: 3. That the proceeds of said three hundred and seventy-two bonds shall be devoted by Elmira Water, Light and Railroad Company to and used for the following purposes and no other: namely, the refunding of certain of its obligations, and the completion, extension, and improvement of its plant, the total amount of said items being \$296,519.33, as described in the petition and accompanying papers and evidence at the hearing.

Ordered: 4. That said Elmira Water, Light and Railroad Company shall make verified reports to this Commission, as follows: (a) Upon the sale of the three hundred and seventy-two bonds of the denomination of \$1000 each, authorized to be issued by this order, or any part thereof, the terms and conditions of sale and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended pursuant to the provisions of this order.

Ordered: 5. Any excess in the proceeds of this issue of bonds which may be realized from the sale thereof at a price exceeding eighty per cent. of their par value shall be held for such application to the cost of permanent additions to and improvements in the property of the company as the Commission shall hereafter approve.

[Case No. 79]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 31st day
of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the ROCHESTER CORNING ELMIRA TRACTION COMPANY for consent to the execution of a first mortgage for \$8,000,000, and for an order authorizing the issuing of bonds to the amount of \$8,000,000 to be secured by said mortgage, and authorizing the issuing of capital stock to the amount of \$3,880,000.

The Rochester Corning Elmira Traction Company on April 23, 1907, filed with the former Board of Railroad Commissioners its petition for consent to mortgage its property for \$8,000,000. By operation of statute that petition came before this Commission, and the company also filed with this Commission a new petition asking consent to the execution of the proposed mortgage, authority to issue \$8,000,000 in bonds to be secured thereby, and authority to issue \$3,880,000 common capital stock of the par value of \$100 a share.

Public hearings on the petition to this Commission were held by this Commission in the Capitol, Albany, on August 28 and September 10, 1907. *Stephen A. McIntire* appeared for the petitioner; *Charles A. Hamilton* appeared in person; *Ross M. Lovell* appeared for the Erie Railroad Company.

From the petition and accompanying papers and from evidence at the hearing it appears that the petitioner proposes to build a double track railroad, to be operated by the overhead electrical trolley system, from Rochester to Elmira; that it also proposes to build an extension from Dansville on its main line to the city of Hornell; that the stock and bonds are proposed to be issued for the construction and equipment of its railroad.

Upon the aforesaid petition and accompanying papers and evidence submitted at the hearing, and after due deliberation, and in accordance with the opinion in this matter of Chairman Stevens of this Commission, dated March 30, 1908, it is

Ordered: 1. That under section 55 of the Public Service Commissions Law this Commission hereby authorizes the Rochester Corning Elmira Traction Company to issue \$3,880,000 common capital stock of said company of the par value of \$100 a share, upon condition that said common capital stock shall be issued for money, labor done, or property actually received for the use and lawful purposes of said corporation, but for not less than the par or face value thereof, pursuant to the provisions of section 42 of the Stock Corporation Law; and upon condition that the proceeds of said common capital stock shall be used for the acquisition of property in the construction of its proposed double track railroad from Rochester, N. Y., to Elmira, N. Y., and for the construction and completion of the said road and the maintenance of service thereon, in accordance with the plans therefor submitted upon the application for said authorization: including the purchase of rights of way, terminals, construction of the said double track railroad and necessary power plant, installation of machinery, purchase of rolling stock and other equipment, and the doing of such other things as may be necessary to put said double track railroad in full operation; the use of the capital to be secured by the issue of such common capital stock being, in the opinion of this Commission, reasonably required for the said purposes of the corporation.

Ordered: 2. That this Commission under subdivision 10 of section 4 of the Railroad Law hereby consents that the Rochester Corning Elmira Traction Company may make, execute, and deliver to some proper trustee to be selected by it, a first mortgage upon all of the property, assets, and franchises of said company to the maximum amount of \$6,000,000, to secure the payment of bonds of said company, referred to hereinafter, to the aggregate amount of \$4,210,000, and such bonds, if any, other than those included in said last named amount, as this Commission may hereafter authorize to be issued.

Ordered: 3. That under section 55 of the Public Service Commissions Law this Commission hereby authorizes, as hereinafter limited, the Rochester Corning Elmira Traction Company to issue its thirty-year five per cent. gold bonds to the amount of \$4,210,000, to be secured by the mortgage of said company herein consented to, upon condition that the proceeds of said bonds shall be used for the acquisition of property in the construction of its proposed double track railroad from Rochester, N. Y., to Elmira, N. Y., and for the construction and completion of the said road and the maintenance of service thereon, in accordance with the plans and specifications therefor submitted upon the application for this authorization: including the purchase of rights of way, terminals, construction of the said double track railroad and necessary power plant, and necessary expenses connected therewith and growing out thereof, installation of machinery, purchase of rolling stock and other equipment, and the doing of such other things as may be necessary to put said double track railroad in full operation; the use of the capital to be secured by the issue of such bonds being, in the opinion of this Commission, reasonably required for the said purposes of the corporation; and upon condition that (a) none of said bonds shall be sold for less than eighty-five per cent. of the face or par value thereof; (b) none of said bonds

shall be issued or sold without the further authorization of this Commission upon sworn report of the terms of sale, nor until the capital stock is fully subscribed by responsible parties; (c) the said bonds shall be issued from time to time in instalments of not more than one million dollars each, and only upon the making and entry of an order subsequent and additional hereto authorizing such issue, upon proof upon the first application that the capital stock has been subscribed by responsible parties, and upon each application showing for what purpose the proceeds of said bonds are to be used in the construction and completion of the work for which they are hereby authorized and the disposition made of the proceeds of previous issues of stocks and bonds; (d) that none of said bonds shall be authorized upon any such application which are required for the purposes of a general contract or of special contracts for the construction of said road and the furnishing of equipment therefor, if the aggregate amount to be paid under said contract or special contracts exceeds the sum of \$7,200,000, nor shall such bonds be authorized except upon such applications it is shown that the work is progressing in conformity with the plans and specifications submitted by the company upon this application.

Ordered: 4. That said company is hereby directed and required to report to this Commission all contracts and agreements made in the construction of its said railroad forthwith after the same are made.

Ordered: 5. That said Rochester Corning Elmira Traction Company shall make verified reports to this Commission, as follows: (a) Upon the sale of said \$3,880,000 common capital stock authorized by this order to be issued, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom, which must not be less than par; (b) upon the sale of the first mortgage bonds, or any part thereof, the terms, and conditions of sale and the amount realized therefrom; (c) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said stock and bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said stock and bonds have been expended pursuant to the provisions of this order.

Ordered: 6. Any excess in the proceeds of this issue of bonds which may be realized from the sale thereof at a price exceeding eighty-five per cent. of the face or par value thereof shall be held for such application to the cost of permanent additions to and improvements in the property of the company as the Commission shall hereafter approve.

It is further Ordered: That the prayer of this petitioner that authority be granted it to issue stock and bonds for the construction of its railroad on the route from Dansville to Hornell be and it is hereby denied, the construction of such branch or extension not having been permitted or approved by this Commission pursuant to section 53 of the Public Service Commissions Law, and that the stock and bonds authorized by this order to be issued shall be used only for the construction of the double track road authorized by the certificate of public convenience and a necessity granted by the former Board of Railroad Commissioners.

[See Case No. 79, July 27, 1908, page 179; and Case No. 79, September 22, 1908, page 182.]

158 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 278]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of **ERIE RAILROAD COMPANY** for authority to issue its notes to the amount of \$15,000,000, bonds secured by its first consolidated mortgage deed to the amount of \$9,457,000, and bonds secured by its Pennsylvania collateral indenture to the amount of \$750,000.

The above petition having been received and filed, and a hearing having been had:

Ordered: 1. That Erie Railroad Company is hereby authorized to issue its interest bearing notes to an amount not exceeding \$15,000,000, dated April 1, 1908, and payable on or before July 1, 1913, or any earlier date.

2. To issue its general lien bonds secured by its first consolidated mortgage deed to the amount of \$9,457,000, and to pledge the same as security for the payment of said notes.

3. To issue its bonds secured by its Pennsylvania collateral indenture to an amount not exceeding \$750,000, and to pledge any of such bonds so issued as security for the said notes.

4. Said Erie Railroad Company shall not, without further authority from the Commission, sell any of said general lien bonds or Pennsylvania collateral indenture bonds hereby authorized to be issued, for less than eighty per cent. of their par value; and said company shall not, without such further authority, sell such bonds prior to the payment and discharge of said notes hereby authorized to be issued, so that there shall be at any time outstanding an amount of said bonds so sold and such outstanding notes for a combined aggregate principal sum exceeding \$15,000,000.

5. Said notes and the proceeds thereof shall be used for or applied to the discharge or lawful refunding of obligations of said Erie Railroad Company incurred before April 1, 1908, and payable on or before July 1, 1909, or for the maintenance of its service, including its notes amounting in the aggregate to \$5,500,000 dated April 8, 1907, maturing April 8, 1908, and car-trust payments falling due from April 1, 1908, to July 1, 1909, both inclusive, amounting in the aggregate to \$4,788,158.92, as well as its other obligations incurred before April 1, 1908, and payable on or before July 1, 1909.

6. Said Erie Railroad Company shall report under oath the sale, pledge, or use of the notes and bonds authorized to be issued, the terms and conditions of such sale, pledge, or use, and the amount realized therefrom.

7. Said Erie Railroad Company shall make a verified report at least once every six months, showing in detail the use and application by it of any moneys so realized, until such moneys shall have been fully expended.

In the opinion of the Commission, the use of the capital to be secured by the issue of such notes and bonds hereby authorized to be issued is reasonably required for the aforesaid purposes of said Erie Railroad Company.

[See case next following.]

[Case No. 278]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 8th day
of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of **ERIE RAILROAD COMPANY** for authority to issue its notes to the amount of \$15,000,000, bonds secured by its first consolidated mortgage deed to the amount of \$9,457,000, and bonds secured by its Pennsylvania collateral indenture to the amount of \$750,000.

After due deliberation, it is

Ordered: That paragraph numbered 1, of the order of this Commission dated March 31, 1908, in the above entitled matter, be amended as of date March 31, 1908, to read:

1. That Erie Railroad Company is hereby authorized to issue its interest bearing notes to an amount not exceeding \$15,000,000, dated April 8, 1908, and payable on or before July 8, 1913, or any earlier date.

[See preceding case.]

[Case No. 290]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 8th day
of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the **FITCHBURG RAILROAD COMPANY** for an order under section 55 of the Public Service Commissions Law, and subdivision 10 of section 4 of the Railroad Law, authorizing the Fitchburg Railroad Company to issue bonds to the amount of \$2,400,000.

Application having been made to this Commission by the Fitchburg Railroad Company by a petition filed on the 6th day of April, 1908, under subdivision 10 of section 4 of the Railroad Law, and section 55 of the Public Service Commissions Law, for an order authorizing the Fitchburg Railroad Company to issue its bonds to the amount of \$2,400,000, for the purpose of paying bonds of said company to the amount of \$2,000,000 falling due on May 1, 1908, and the balance of the capital realized from the sale of said bonds to be applied in part payment of a debt due the Boston and Maine Railroad from the Fitchburg Railroad Company on account of permanent improvements and additions to the property of the Fitchburg Railroad Company; and a hearing having been given on said application by this Commission at the Capitol in the city of Albany on the 8th day of April, 1908, *Jarvis P. O'Brien, esq., attorney at law of the city of Troy, N. Y., appearing for the applicant;* and this Commission having examined such witnesses,

books, papers, documents, contracts, accounts, and reports as it deemed necessary or important to reach a determination herein; now, after consideration and deliberation, it is the opinion of the Commission that the use of the capital to be secured by the issue of the bonds named in the petition is reasonably required for the aforesaid purpose of paying bonds to the amount of \$2,000,000 falling due on May 1, 1908, and the balance to apply in part payment of the indebtedness now due the Boston and Maine Railroad on account of the permanent improvements and additions made to the property of the Fitchburg Railroad Company; it is, therefore,

Ordered: That the Fitchburg Railroad Company be and it hereby is authorized to issue its bonds to the amount of \$2,400,000; that said bonds be dated May 1, 1908, and payable twenty years from their date, and bearing interest at the rate of 4½ per cent. per annum, payable one-half on the first day of November and one-half on the first day of May in each year.

It is further Ordered: That the proceeds of the bonds issued and sold shall be used as follows: \$2,000,000 to be used in paying twenty-year bonds of said company dated May 1, 1888, and falling due on May 1, 1908, and amounting to \$2,000,000; that the balance of the proceeds realized from the sale of said bonds be paid to the Boston and Maine Railroad in part payment of the indebtedness of the Fitchburg Railroad Company to the Boston and Maine Railroad on account of improvements and additions made to the property of the Fitchburg Railroad Company, as appears in the petition herein.

It is further Ordered: That the Fitchburg Railroad Company report under oath, from time to time, the sale or sales of the bonds herein authorized, the terms and conditions of such sale, and the amount realized therefrom.

It is further Ordered: That the Fitchburg Railroad Company make a verified report at least once every six months, showing in detail the use and application by it of the moneys realized from the sale of the bonds herein, until such moneys shall have been fully expended.

[Case No. 304]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKEE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for authority to issue its first mortgage 3½ per cent. bonds to the amount of \$4,000,000, and its 4 per cent. bonds to the amount of \$20,000,000.

Application having been made to this Commission by The New York Central and Hudson River Railroad Company, by a petition filed on the 15th day of April, 1908, under section 55 of the Public Service Commissions Law, for an order authorizing the applicant to issue its first mortgage 3½ per cent. bonds to the amount of \$4,000,000, which bonds are to be part of an authorized issue of \$100,000,000 secured by a mortgage to the Central Trust Company of New York, trustee, dated June 1, 1897; and its 4 per cent. debenture bonds to the amount of \$20,000,000, being part of an issue of \$50,000,000 authorized by a resolution of its board of directors adopted May 11, 1904, of which \$30,000,000 have heretofore been issued and are outstanding, said resolution being fully set forth in an indenture dated May 12, 1904, between the applicant and the United States Trust Company of New York, trustee, providing for the proper certification of such bonds; and a hearing having been

given on said application by this Commission at the Capitol in the city of Albany on the 20th day of April, 1908, Mr. Albert H. Harris, general counsel for The New York Central and Hudson River Railroad Company, appearing on its behalf, and this Commission having examined such witnesses, books, papers, documents, accounts, and reports as it deemed necessary or important to reach a determination herein; and it appearing from the petition and accompanying papers and from the evidence taken at the hearing that the applicant has obligations amounting to \$7,120,000, which amount represents moneys spent for additions and permanent improvements to its property, and that it has in progress or is about to undertake extensions, additions, and permanent improvements to its property which will cost in excess of \$17,000,000; now, after consideration and deliberation, it is the opinion of the Commission that the use of the capital to be secured by the issue of the bonds and debentures named in the petition is reasonably required for the acquisition of property, the construction, completion, extension, or improvement of its facilities, for the improvement or maintenance of its service, and for the discharge or lawful refunding of its obligations, as set forth in the petition; it is therefore

Ordered: That The New York Central and Hudson River Railroad Company be and it hereby is, subject to paragraph 3 hereof, authorized to issue its first mortgage 3½ per cent. bonds to the amount of \$4,000,000, and that the proceeds thereof shall be used for extensions, additions, and permanent improvements to its property covered by the mortgage securing said bonds.

It is further Ordered: That The New York Central and Hudson River Railroad Company be and it hereby is, subject to paragraph 3 hereof, authorized to issue its said debenture bonds to the amount of \$20,000,000, and that the proceeds thereof shall be used to pay the said indebtedness of \$7,120,000 above mentioned, with accrued interest thereon, and the balance for extensions, additions, and permanent improvements to its property.

It is further Ordered: That The New York Central and Hudson River Railroad Company shall not sell the said bonds and debentures hereby authorized to be issued, or any of them, for less than ninety (90) per cent. of their par value, less commissions not exceeding two and one-half (2½) per cent. of their par value and actual expenses for advertising the sale thereof.

It is further Ordered: That the said The New York Central and Hudson Railroad Company shall make verified reports to this Commission as follows: (a) Upon the sale of said bonds or debentures authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said bonds or debentures, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds or debentures have been expended pursuant to the provisions of this order.

162 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 64]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,

Commissioners.

In the matter of the Petition of the GREENWICH AND JOHNSONVILLE RAILWAY COMPANY, under subdivision 10 of section 4 of the Railroad Law for consent to the making of a consolidated mortgage for \$1,000,000, and under section 55 of the Public Service Commissions Law for authority to issue nine hundred bonds of the denomination of \$1000 each to be secured by said mortgage.

The applicant, the Greenwich and Johnsonville Railway Company, on October 3, 1907, filed its petition, under subdivision 10 of section 4 of the Railroad Law for the consent of this Commission to the execution by the applicant of a consolidated mortgage for \$1,000,000, and under section 55 of the Public Service Commissions Law for authority to issue under said mortgage nine hundred bonds of the denomination of \$1000 each and bearing interest at not to exceed five per cent. annually; and a supplemental petition under said laws having been filed on October 28, 1907, and the matter having been duly heard, it appears to the Commission from such petitions, evidence adduced at the hearing, and from further proceedings and investigation herein: That the applicant, under a first mortgage to the Standard Trust Company of New York as trustee, has issued bonds to the amount of \$500,000, bearing four per cent. interest annually, which said bonds mature January 1, 1924; that it proposes to retire at maturity or prior thereto said bonds so issued by five hundred of the new bonds covered by the application herein; that four hundred of the bonds covered by the application herein are intended to be now sold and the proceeds of said sale devoted to the discharge of lawful obligations incurred in the construction of applicant's Salem Branch, which extends from Greenwich, Washington county, N. Y., to the intersection of the line near Salem in said county with the line of The Delaware and Hudson Company, and to the completion of said branch and putting the same into full operation; that the remaining one hundred of said proposed bonds are desired to be held in the treasury of the company for future issue upon the further order of the Commission; that the sum of \$400,000 is reasonably required by the applicant for the discharge of said lawful obligations and for the completion of its Salem Branch, and that the said consolidated mortgage for \$1,000,000 should be authorized; that the applicant subsequent to the hearing herein was duly notified that the exchange of bonds bearing interest at the rate of five per cent. annually for bonds now outstanding bearing four per cent. interest annually, and which will not mature until January 1, 1924, is disapproved, but that bonds under said consolidated mortgage for an amount in face value equal to the applicant's present issue of \$500,000 first mortgage bonds could properly be held in the treasury of the company to retire the said present bonds at maturity, or that exchange could be made prior thereto upon fair terms to be approved by the Commission; that the applicant was also notified subsequent to said hearing that its application was defective, in that the term of the proposed mortgage and the rate of interest upon the proposed bonds had not been stated, nor had evidence been given or statement filed showing the price at which the said bonds now proposed to be issued would or could be sold; that the applicant did thereafter, on May 5, 1908, file a statement, together with a copy of the proposed consolidated

mortgage, showing that said mortgage would, if consent should be given by the Commission, be executed to the Standard Trust Company of New York as trustee, that the term of said mortgage would be thirty years, that the rate of interest upon the bonds would be five per cent. annually, and that the applicant intends to sell the bonds herein authorized at not less than the par value thereof. The applicant having perfected the record herein, and due deliberation having been had, it is

Ordered: 1. That under subdivision 10 of section 4 of the Railroad Law the applicant, the Greenwich and Johnsonville Railway Company, be and is hereby authorized to execute a consolidated mortgage upon its property to the Standard Trust Company of New York as trustee to secure the payment of a series of consolidated mortgage, thirty-year, five per cent. gold bonds, one thousand in number and of the denomination of \$1000 each.

2. That under section 55 of the Public Service Commissions Law the applicant, the Greenwich and Johnsonville Railway Company, be and is hereby authorized to issue under said consolidated mortgage executed to the Standard Trust Company of New York as trustee, and sell for not less than the par value thereof, four hundred thirty-year gold bonds, each of the denomination of \$1000, bearing interest at the rate of five per cent. annually, the proceeds thereof to be used for the following purposes and no other: that is to say, to the discharge of indebtedness incurred in and about the construction of its Salem Branch, extending about eleven miles from Greenwich in Washington county to the point of intersection of said branch with the railroad of The Delaware and Hudson Company, and to the completion of the work of constructing and putting said Salem Branch into full operation.

3. That the applicant, the Greenwich and Johnsonville Railway Company, be and is hereby directed and required to hold five hundred of said thirty-year, five per cent. gold bonds, each of the denomination of \$1000, for the purpose of retiring or discharging its present funded debt of \$500,000, which said funded debt is secured by a first mortgage to the Standard Trust Company of New York as trustee, covering five hundred bonds of the denomination of \$1000 each, bearing four per cent. interest annually and due and payable January 1, 1924, the said five hundred thirty-year, five per cent. gold bonds so held to be used for no other purpose whatsoever, and issued for such purpose only upon the further order of this Commission.

4. That the applicant, the Greenwich and Johnsonville Railway Company, shall hold the remaining one hundred of said thirty-year, five per cent. gold bonds, each of the denomination of \$1000, and shall not issue the same or any number of said bonds except as it may be thereunto authorized by order of this Commission.

5. That the applicant, the Greenwich and Johnsonville Railway Company, shall make verified reports to this Commission as follows: (a) Upon the sale of said four hundred consolidated mortgage bonds herein authorized, or any part thereof, the fact of such sale, the terms and conditions thereof, and the amount secured therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said four hundred bonds, or of any part thereof, setting forth in detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended pursuant to the provisions of this order; (c) that in case the proceeds from the sale of said four hundred consolidated mortgage bonds shall exceed the amount necessary to be expended for the discharge of the applicant's lawful obligations incurred in and about the construction of its Salem Branch and the completion of the construction of its said Salem Branch, the excess moneys remaining shall be held by the applicant subject as to application and use to the further order of the Commission.

[Case No. 22]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of THE LEHIGH AND HUDSON RIVER RAILWAY COMPANY, under subdivision 10 section 4 of the Railroad Law for consent to the issue of a mortgage supplemental to its general mortgage for \$3,000,000, and under section 55 of the Public Service Commissions Law for authority to issue \$300,000 in bonds to be secured by said general mortgage.

The Lehigh and Hudson River Railway Company on December 20, 1907, filed with this Commission its petition, under subdivision 10 section 4 of the Railroad Law for consent to issue a mortgage supplemental to the petitioner's general mortgage for \$3,000,000, which is dated July 1, 1890; and under section 55 of the Public Service Commissions Law for authority to issue three hundred thirty-year, gold, coupon bonds of the denomination of \$1000 each, to bear five per cent. annual interest and to be secured by said general mortgage.

Hearings, after public notice, were held on said petition at the Capitol, Albany, on January 21 and April 7, 1908. John J. Beattie appeared for the petitioner; no one else appeared.

It appears from the evidence and from the affidavits herein of R. T. Jaynes and John E. Barrett, that the petitioner is indebted to banks to the amount of \$162,000, for which it has given its promissory notes; that it proposes to make extensions and improvements of its repair shop facilities, the estimated cost of which is \$29,000; that it proposes to otherwise extend and improve its facilities, including new roundhouse, bridges, sidings, etc., the estimated cost of which is \$79,700.82; that the total of said items is \$270,000.82; that it is to refund the said obligations, to acquire property, and to pay for the said extensions and improvements of its facilities that the bonds to which the petition refers are proposed to be issued. Upon the aforesaid petition and accompanying papers and upon the evidence taken at the hearing, and after due deliberation, it is

Ordered: 1. That under subdivision 10 section 4 of the Railroad Law this Commission hereby consents to the issue by The Lehigh and Hudson River Railway Company of a supplemental mortgage to the Central Trust Company of New York as trustee upon that portion of its line extending from Hudson Junction to Maybrook in the county of Orange, so that such line of railroad between said points shall become subject to the lien of a general mortgage executed by said railroad company to said trust company as trustee, dated July 1, 1890, to secure bonds to the amount of \$3,000,000.

Ordered: 2. That under section 55 of the Public Service Commissions Law this Commission hereby authorizes The Lehigh and Hudson River Railway Company to issue its thirty-year, five per cent gold, coupon bonds of the denomination of \$1000 each, to be secured by said general mortgage and conformable to the terms thereof, to the aggregate amount of \$270,000, the use of the capital to be secured by the issue of such bonds being in the opinion of this Commission reasonably required by said company for the acquisition of property and the construction, extension, and improvement of its facilities, and the refunding of its lawful obligations as shown by the proof given upon this application.

Ordered: 3. That the proceeds of said bonds shall be devoted by The Lehigh and Hudson River Railway Company to and used for the following purposes and no other: namely, (a) the refunding of its said obligations to the amount of \$162,000, said obligations being promissory notes of the petitioner now held by banks; (b) the extension and improvement of its repair shop facilities at Warwick, N. Y., as described in a letter dated April 4, 1908, attached to and made a part of the affidavit of R. T. Jaynes, herein, the estimated cost of which is twenty-nine thousand dollars (\$29,000); (c) to the acquisition of property and the construction, extension, and improvement of its facilities, including new roundhouse, bridges, sidings, etc., as set forth in schedules and a letter dated April 3, 1908, attached to and made a part of the affidavit of John E. Barrett, herein, the estimated cost of which is \$79,700.82.

Ordered: 4. That said The Lehigh and Hudson River Railway Company shall make verified reports to this Commission, as follows: (a) Monthly reports as to the refunding of its said obligations for \$162,000, until all of said obligations are refunded pursuant to the provisions of this order; (b) upon the sale of the remaining \$108,000 in bonds authorized by this order to be issued, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (c) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said \$108,000 in bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and such reports shall be made until all the proceeds of said \$108,000 in bonds have been expended pursuant to the provisions of this order.

[Case No. 340]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the office of the Commission in the city of New York on the 1st day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of Petition of ERIE RAILROAD COMPANY for authority to issue, under its Buffalo and Southwestern division second lien mortgage, new bonds to the amount of \$1,000,000 in lieu of and in substitution for the bonds heretofore issued under said mortgage.

The petition of Erie Railroad Company in the above matter having been received and filed, and a hearing having been had,

It is hereby Ordered:

1. That Erie Railroad Company is hereby authorized to issue, under its mortgage dated November 19, 1896, to The State Trust Company of New York as trustee, to secure bonds amounting to \$1,000,000, which mortgage is known as its "Buffalo and Southwestern division second lien mortgage," new bonds as therein provided for, to the amount of \$1,000,000, said new bonds to be in lieu of and in substitution for the bonds heretofore issued under said mortgage, and to run for a period of not exceeding twenty (20) years, and to bear interest at a rate not exceeding five (5) per cent. per annum, as the board of directors of Erie Railroad Company shall determine.

2. Said Erie Railroad Company shall not, without further authority from this Commission, sell any of said new bonds hereby authorized to be issued for less than ninety (90) per cent. of their par value, nor shall it dispose

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of said new bonds so that there shall be at any one time outstanding under said Buffalo and Southwestern division second lien mortgage, bonds for a total aggregate principal sum exceeding \$1,000,000.

3. Said new bonds and the proceeds thereof shall be used for or applied to the discharge or lawful refunding of the said obligations of said Erie Railroad Company, viz.: said bonds heretofore issued under said mortgage.

4. Said Erie Railroad Company shall at least once in every six months, until such bonds shall have been issued and disposed of and the moneys received therefor duly expended, make a verified report showing in detail the number of such bonds issued, the disposition, terms, and conditions of their sale or disposition, with the amount realized therefrom, and the use and application that has been made of the moneys so realized.

5. That in the opinion of this Commission the use of the capital to be secured by the issue of such bonds hereby authorized to be issued is reasonably required for the said purposes of said Erie Railroad Company.

[Case No. 350]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held in the city of New York on the 1st day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
M. S. DECKER,
J. E. SAGUE,
J. B. OLMS TED,
Commissioners.

In the matter of the Petition of the BOSTON AND ALBANY RAILROAD COMPANY for authority to issue its 25-year four per cent. improvement bonds of 1908 to the amount of \$7,000,000.00, and of the petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for authority to guarantee the payment of the same.

Application having been made to this Commission by the Boston and Albany Railroad Company by petition filed on the 29th day of May, 1908, under section 55 of the Public Service Commissions Law for an order authorizing the applicant to issue its 25-year four per cent. improvement bonds of 1908 to the amount of \$7,000,000.00; and application having been also made by The New York Central and Hudson River Railroad Company, lessee of said Boston and Albany railroad, for an order authorizing it to guarantee the payment of the principal and interest of said bonds as provided for in the lease to it of said railroad; and this Commission having examined such books, papers, documents, accounts, and reports as it deemed necessary and important to reach a determination herein; and it appearing from the petition and accompanying papers and from such examination that the said The New York Central and Hudson River Railroad Company has made expenditures for permanent improvements and additions to said Boston and Albany railroad amounting to \$2,586,950.78, for which it is entitled to repayment from the Boston and Albany Railroad Company under the terms of said lease; and that further extensions, additions, and permanent improvements to the property of said Boston and Albany Railroad Company are in progress or about to be undertaken which will cost in excess of \$4,500,000.00; now, after consideration and deliberation, it is the opinion of the Commission that the use of the capital to be secured by the issue of the bonds named in the petition is reasonably required for the acquisition of the property, the construction, completion, and extension or improvement of its facilities, for the improvement or maintenance of its service, and for the discharge or lawful refunding

of its obligations as set forth in the petition, and that it is proper that The New York Central and Hudson River Railroad Company as lessee should guarantee the payment of the principal and interest of the bonds hereinafter mentioned, pursuant to the terms of said lease; it is, therefore, on motion of *Mr. Albert H. Harris*, counsel for said petitioners,

Ordered: 1. That the Boston and Albany Railroad Company be and it hereby is authorized to issue its 25-year four per cent. improvement bonds of 1908 to the amount of \$7,000,000.00, and that the proceeds thereof shall be used for extensions, additions, and permanent improvements to its property in the States of New York and Massachusetts, and for the repayment of the amounts already expended therefor as above set forth.

2. That said bonds shall not be sold at a less price than ninety per cent. of their face value.

3. That The New York Central and Hudson River Railroad Company be and it hereby is authorized to guarantee the payment of the principal and interest of said bonds.

4. That the Boston and Albany Railroad Company shall make verified reports to this Commission as follows: (a) Upon the sale of said bonds authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended.

[Case No. 332]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the matter of the Petition of the LIMA-HONEOYE ELECTRIC LIGHT AND RAILROAD COMPANY, under sections 55 and 69 of the Public Service Commissions Law, for authority to issue \$50,000 common capital stock.

The Lima-Honeoye Electric Light and Railroad Company on May 6, 1908, filed with this Commission its petition, under sections 55 and 69 of the Public Service Commissions Law, for authority to issue \$50,000 common capital stock of the par value of \$100 a share. A hearing on this petition, after public notice, was held by Commissioners Stevens and Olmsted in the city of Rochester on June 5, 1908, at which *James O. Moore* appeared for the petitioner; no one else appeared.

From the petition and accompanying papers and from evidence at the hearing, it appears that the former Lima-Honeoye Electric Light and Railroad Company was organized pursuant to the provisions of the Transportation Corporations Law and section 21 of the Railroad Law, and after its organization was duly dissolved by an order of the Supreme Court, a receiver duly appointed, and all of its property and effects and franchises, pursuant to the order of the Court, were duly sold at public sale, and are now owned and operated by Charlotte E. Georger of Buffalo, N. Y.; that this petitioner was organized pursuant to the provisions of section 3 of the Stock Corporation Law, by the filing of a reorganization certificate with the Secretary of

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State on March 19, 1908; that the organization of this petitioner has been perfected, officers selected, and that it has entered into a contract with the said Charlotte E. Georger for the purchase of the said former Lima-Honeoye Electric Light and Railroad Company, its franchises and properties, and is desirous of issuing common capital stock for the payment of the same; that this petitioner has never issued any capital stock.

In the opinion of this Commission the use of the capital to be secured by the issue by this petitioner of the \$5000 common capital stock hereinafter authorized is reasonably required for the said purposes of the corporation, to wit: the purchase from said Charlotte E. Georger of the property, property rights, and franchises of the former Lima-Honeoye Electric Light and Railroad Company, as described in the petition and papers attached thereto, including a copy of an agreement dated April 20, 1908, between the said Charlotte E. Georger and this petitioner. Upon the aforesaid petition, and after due deliberation, it is

Ordered: 1. That under sections 55 and 69 of the Public Service Commissions Law this Commission hereby authorizes Lima-Honeoye Electric Light and Railroad Company to issue at par \$5000 common capital stock of said company of the par value of \$100 a share.

Ordered: 2. That said \$5000 common capital stock or the proceeds thereof shall be devoted by Lima-Honeoye Electric Light and Railroad Company to and used for the following purposes and no other, to wit: the purchase from said Charlotte E. Georger of the property, property rights, and franchises of the former Lima-Honeoye Electric Light and Railroad Company, as described in the petition and papers attached thereto, including a copy of an agreement dated April 20, 1908, between the said Charlotte E. Georger and this petitioner.

Ordered: 3. That said Lima-Honeoye Electric Light and Railroad Company, upon the transfer of said \$5000 common capital stock herein authorized to said Charlotte E. Georger for the said property, property rights, and franchises, or upon the sale of said \$5000 common capital stock and the payment of the proceeds thereof to said Charlotte E. Georger for said property, property rights, and franchises, shall file with this Commission a verified statement to the effect that said capital stock has been thus issued and used for said purposes.

[See Case No. 344, June 11, 1908, page 321.]

[Case No. 360]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at its office in Buffalo on the 18th day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLTMSTED,
Commissioners.

In the matter of the Petition of the DOLGEVILLE AND SALISBURY RAILWAY COMPANY, under section 46 of the Stock Corporation Law for approval of an increase of its common capital stock from \$100,000 named in its articles of association to \$150,000, and under section 55 of the Public Service Commissions Law for authority to issue said \$150,000 common capital stock.

The Dolgeville and Salisbury Railway Company having on June 5, 1908, filed with this Commission its petition under section 46 of the Stock Corporation Law for approval of an increase of its common capital stock from

\$100,000 named in its articles of incorporation to \$150,000, and under section 55 of the Public Service Commissions Law for authority to issue said \$150,000 common capital stock; and hearing on said petition having been held by this Commission at its office in the Capitol, Albany, on June 15, 1908, Hon. A. M. Mills appearing for the petitioner, and no person appearing in opposition; it appears from the petition and accompanying papers, and from evidence submitted at the hearing, as follows: That petitioner was incorporated to construct a steam railroad from Dolgeville to the Salisbury Steel and Iron Company plant, at or near Salisbury Center, all in Herkimer county, a distance of about four and a-half miles, and received from this Commission a certificate under section 59 of the Railroad Law, and consent to construct said railroad and exercise rights and privileges as a common carrier under section 53 of the Public Service Commissions Law; that the railroad company and the iron company agreed verbally that the iron company should procure the right of way and build the railroad complete, which has been done, and the railroad is in operation; that it is a single-track road with sidings; that the iron company has expended in said construction \$149,646.30, and has contracted to expend upon said road, in addition, supplementary construction to the amount of about \$2000; that this petitioner desires to pay in full for all of said railroad construction by issuing to the said Salisbury Steel and Iron Company its \$150,000 common capital stock at par, and the said Steel and Iron Company has consented to accept the same in full payment for all of said construction; that all of the stockholders of this petitioner have consented to the increase of its capital stock from \$100,000 to \$150,000; that statements and vouchers covering said construction in detail have been submitted and examined; and that the prices paid for said construction by the Salisbury Steel and Iron Company appear to be in all respects fair and reasonable.

In the opinion of this Commission the use of the capital to be secured from the issue by petitioner of \$150,000 common capital stock is reasonably required for the said purpose of the corporation as set forth in the petition and accompanying papers and as described in the evidence at the hearing, namely, the complete construction of its said railroad; now, upon the aforesaid petition and accompanying papers and evidence taken at the hearing, and after due deliberation, it is

Ordered: 1. That under section 46 of the Stock Corporation Law this Commission hereby approves the increase of the common capital stock of the Dolgeville and Salisbury Railway Company from \$100,000 named in its articles of incorporation to \$150,000, and that indorsement of such approval be made upon the duplicate certificates of the unanimous consent of stockholders of said company to said increase, according to the provisions of the Stock Corporation Law.

Ordered: 2. That under section 55 of the Public Service Commissions Law this Commission hereby authorizes the petitioner, the Dolgeville and Salisbury Railway Company, to issue \$150,000 common capital stock of the par value of \$100 per share, and to deliver the same unto the Salisbury Steel and Iron Company as issued and sold at not less than the par value thereof, and in full satisfaction for the construction of petitioner's railroad, including all of said supplementary or final construction contracted for or agreed upon between the petitioner and the said Salisbury Steel and Iron Company, the true cost of which said construction exceeds the amount of said stock at its par value of \$100 per share.

Ordered: 3. That the petitioner, the Dolgeville and Salisbury Railway Company, shall, upon the issuance and delivery of said aforesaid issue of its common stock to the Salisbury Steel and Iron Company, and the delivery to it by said Salisbury Steel and Iron Company of receipts in full for all debts arising from the construction of petitioner's railroad by said Salisbury Steel and Iron Company, including payment for said supplementary construction, file verified copies of said receipts with this Commission, together with a verified statement setting forth the issuance and delivery of said common stock as herein provided.

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[Case No. 315]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,

Commissioners.

In the matter of the Application of W. BUTLER CRITTENDEN, RECEIVER OF THE ROCHESTER, CHARLOTTE AND MANITOU RAILROAD COMPANY, for approval of the issuance of receiver's certificates, under section 55 of the Public Service Commissions Law.

On reading and filing the application of W. Butler Crittenden, receiver of the Rochester, Charlotte and Manitou Railroad Company, for authority to issue receiver's certificates to the amount of nine thousand dollars (\$9000) and the sale thereof at par, and after hearing had upon such application at the office of said receiver in the city of Rochester on the 30th day of June, 1908; and it appearing to the Commission that the said issue of certificates by said receiver has been duly authorized by the Supreme Court of the State of New York in and for the county of New York by orders duly entered on the 23rd day of May and the 6th day of June, 1908, and that the proceeds from the sale of said certificates are to be used incidentally to defray expenses of administration pending the putting of the railroad into operation, but mainly for the purpose of complying with the order issued by this Commission on the 21st day of April, 1908, "In the matter of the Physical Condition and Operation of the Rochester, Charlotte and Manitou Railroad," according to plans and specifications covering the repair and partial reconstruction of the said Rochester, Charlotte and Manitou railroad; and it further appearing to the Commission that the proceeds to be derived from the sale of the said certificates are reasonably required for the said purposes of said receiver, it is

Ordered: That W. Butler Crittenden, receiver of the Rochester, Charlotte and Manitou Railroad Company, be and is hereby authorized under section 55 of the Public Service Commissions Law to issue his certificates as such receiver to the amount of nine thousand dollars (\$9000), payable on demand and bearing 6 per cent. interest, and to sell the same at not less than par, the said certificates being those heretofore authorized by orders of the Supreme Court of the State of New York in and for the Fourth Department duly entered on the 23d day of May and the 6th day of June, 1908; and that any sale heretofore made by said receiver of any such certificates at the par value thereof be and the same is hereby approved. And it is further

Ordered: That W. Butler Crittenden, receiver of the Rochester, Charlotte and Manitou Railroad Company, be and is hereby directed, under Rule 25 of the Rules of Practice, to report under oath the sale or sales of the obligations authorized; and shall further make a verified report at least once every three months showing in detail the use and application by him of the moneys so realized, until such moneys shall have been fully expended.

[See Case No. 315, April 21, 1908, page 401; and Case No. 439, August 19, 1908, page 148.]

[Case No. 348]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of July, 1908.**

Present:

**FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,**
Commissioners.

In the matter of the Application of THE DELAWARE AND HUDSON COMPANY, under subdivision 10 of section 4 of the Railroad Law for consent to the execution of a first and refunding mortgage upon its property, rights, and franchises covering \$50,000,000 coupon or registered gold bonds maturing May 1, 1943, and for authority under section 55 of the Public Service Commissions Law to issue bonds under said mortgage to the amount of \$26,500,000.

The Delaware and Hudson Company having on June 3, 1908, filed an application under subdivision 10 of section 4 of the Railroad Law for consent of the Commission to the execution by it to the Farmers Loan and Trust Company as trustee, of a first and refunding mortgage upon its railroad property, rights, and franchises, securing gold bonds to the amount of fifty million dollars (\$50,000,000) maturing May 1, 1943, bearing not to exceed four per cent. interest annually; and for authority under section 55 of the Public Service Commissions Law to issue twenty million dollars (\$20,000,000) of such bonds for the purpose of paying off certain note obligations amounting to nineteen million one hundred and thirty-seven thousand five hundred dollars (\$19,137,500); and in addition to set aside and use six million five hundred thousand dollars (\$6,500,000) of such bonds to retire or pay off at or before maturity outstanding bonds under three existing mortgages, to wit: five million dollars (\$5,000,000) of seven per cent. bonds maturing September 1, 1917, under a mortgage executed by the applicant dated August 13, 1877, Union Trust Company of New York, trustee; five hundred thousand dollars (\$500,000) of six per cent. bonds maturing September 1, 1924, under a mortgage executed August 15, 1874, by the Schenectady and Duaneburg Railroad Company (which has since been merged with the applicant), Thomas W. McCamus and Walter T. L. Sanders, trustees; and one million dollars (\$1,000,000) of four and one-half per cent. bonds maturing March 1, 1942, under a mortgage executed by the Adirondack Railway Company (which has since been merged with the applicant), United States Trust Company of New York, trustee; and hearing herein having been had by the Commission on the 8th day of June, 1908, and submission of documentary evidence having been filed at various dates and practically completed on June 22, 1908, and the Commission having duly examined the evidence, including the form of the proposed mortgage and bonds, and having fully investigated and considered the matters and things involved, it is

Ordered: 1. That the Commission does hereby consent to the execution by the applicant, The Delaware and Hudson Company, to the Farmers Loan and Trust Company as trustee, of a first and refunding mortgage upon its railroad properties, rights, and franchises as described therein, to secure gold bonds to the amount of fifty million dollars (\$50,000,000), bearing not to exceed four per cent. interest annually and maturing May 1, 1943, the said mortgage to be in accordance with the terms of the form of mortgage filed herein on the 22d day of June, 1908, subject, however, to the limitations as to the issue and sale of bonds thereunder as hereinafter prescribed.

Ordered: 2. That the applicant, The Delaware and Hudson Company, be and is hereby authorized to set aside and from time to time issue under the terms of said first and refunding mortgage bonds of the par value of six million five hundred thousand dollars (\$6,500,000), bearing not to exceed four per cent. interest annually, the capital to be secured thereby being in the opinion of the Commission reasonably required, and the same to be used for the sole purpose, and no other, of retiring or paying off bonds at or before maturity which are outstanding under three certain existing mortgages, to wit: Five million dollars (\$5,000,000) of seven per cent. bonds maturing September 1, 1917, under a mortgage executed by the applicant dated August 13, 1877, Union Trust Company of New York, trustee; five hundred thousand dollars (\$500,000) of six per cent. bonds maturing September 1, 1924, under a mortgage executed August 15, 1874, by the Schenectady and Duanesburg Railroad Company (which has since been merged with the applicant), Thomas W. McCammus and Walter T. L. Sanders, trustees; and one million dollars (\$1,000,000) of four and one-half per cent. bonds maturing March 1, 1942, under a mortgage executed by the Adirondack Railway Company (which has since been merged with the applicant), United States Trust Company of New York, trustee. Provided, however, that except as the said bonds hereby authorized to be issued shall be exchanged par value for par value for the said present outstanding bonds, without payment of premium in any form upon such exchange by the applicant, the terms of such exchange or of the sale of bonds hereby authorized shall first be submitted to the Commission for approval, but such submission may be without formality and such approval may be by resolution of the Commission. Provided further, that if any of the bonds hereby authorized shall not, for any reason, be required by the applicant for the purpose above described, the same shall not be issued except upon order of the Commission, and report of any such unissued bonds shall be made to the Commission. Provided further, that if from time to time in the retirement or paying off of said present outstanding bonds by exchange or sale of bonds hereby authorized, it shall be found necessary, with approval of the Commission, to exchange or sell said new bonds at a discount from the par value thereof, the amount of said discount, when it shall become substantial, will be allowed to the applicant with authority to issue an amount of new bonds in par value equal to such discount.

Ordered: 3. That the applicant, The Delaware and Hudson Company, be and is hereby authorized to issue under the terms of said first and refunding mortgage, and sell for not less than ninety-five per cent. of the par value thereof, bonds of the par value of thirteen million three hundred and nine thousand dollars (\$13,309,000), bearing not to exceed four per cent. interest annually, the capital to be secured thereby being in the opinion of the Commission reasonably required, and the same to be used for the sole purpose, and no other, of paying off by the applicant its present outstanding note obligations maturing in twelve months or less from date thereof to the amount of twelve million six hundred and forty-four thousand and eighty dollars and twenty-two cents (\$12,644,080.22), which sum as proceeds derived from said note issues is found by the Commission to have been applied by the applicant for value, as follows, to wit:

New equipment	\$2,229,455 07
Real estate and new construction.....	3,948,830 57
1,750 shares of stock of the Greenwich and Johnsonville Railway Company	175,000 00
Certificates of indebtedness of the Quebec, Montreal and Southern Railway Company	5,444,794 58
\$1,000,000 of preferred stock of the Chateaugay and Lake Placid Railway Company	846,000 00
 Total	 \$12,644,080 22

Provided, however, if any of the bonds hereby authorized which for any reason may not be used by the applicant for the purposes above set forth, the said bonds not so used shall be reported to the Commission and shall be issued only upon the further order of the Commission.

Ordered: 4. That the remaining bonds provided for in said mortgage, to wit: bonds of the par value of thirty million one hundred and ninety-one thousand dollars (\$30,191,000), shall only be issued upon the order of this Commission.

Ordered: 5. That the applicant, The Delaware and Hudson Company, shall make a verified report to the Commission at least once every six months, showing in detail the use and application by it of the moneys so realized until such moneys shall have been fully expended, and of its action generally under the provisions of this order.

[See Case No. 348, July 21, 1908, page 175; Case No. 348, December 7, 1908, page 188; Case No. 348, December 29, 1908, page 101.]

[Case No. 378]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Application of LESLIE SUTHERLAND,
RECEIVER OF THE YONKERS RAILROAD COMPANY, for
approval of the issuance of receiver's certificates under
section 55 of the Public Service Commissions Law.

On reading and filing the application of Leslie Sutherland, receiver of the Yonkers Railroad Company, for authority to issue receiver's certificates to the amount of sixty-five thousand dollars (\$65,000); and after hearing had upon such application at the office of the Public Service Commission for the First District in the city of New York on the 24th day of June, 1908; and it appearing to the Commission that the said issue of certificates by said receiver has been duly authorized by the Supreme Court of the State of New York in and for the county of Westchester by order duly entered on the 15th day of June, 1908; and that the proceeds from the sale of said certificates are to be used for the purchase of fifteen additional double-truck cars not less than forty feet long, fully vestibuled, equipped with an approved type of air brake and electrical equipment, as set forth in statements and copies of proposed contracts on file; and it further appearing to the Commission that the proceeds to be derived from the sale of said certificates are reasonably required for the said purpose, it is

Ordered: That Leslie Sutherland, receiver of the Yonkers Railroad Company, be and is hereby authorized, under section 55 of the Public Service Commissions Law, to issue his certificates as such receiver to the amount of sixty-five thousand dollars (\$65,000), bearing not to exceed five and one-half per cent. interest, and to sell the same at not less than par, the said certificates being those heretofore authorized by order of the Supreme Court of the State of New York in and for the county of Westchester duly entered on the 15th day of June, 1908, and upon condition that the proceeds derived from the sale of said certificates shall be used for the sole purpose of purchasing fifteen double-truck cars not less than forty feet long, fully vestibuled, and equipped with an approved type of air brake and electrical equipment in accordance with specifications set forth in statements and copies of proposed contracts on file in this proceeding. And it is further

Ordered: That Leslie Sutherland, receiver of the Yonkers Railroad Company, be and is hereby directed, under Rule 25 of the Rules of Practice,

to report under oath the sale or sales of the obligations authorized, and to also make a verified report showing in detail the use and application by him of the moneys so realized, which said report shall be made within three months from the date hereof and be supplemented by further report each month thereafter until such moneys shall have been fully expended.

[See case next following; Case No. 126, March 17, 1908, page 394; Case No. 166, September 28, 1908, page 436; Case No. 167, September 29, 1908, page 438; and Case No. 378, September 1, 1908, page 180.]

[Case No. 378]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 13th day
of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the matter of the Application of LESLIE SUTHERLAND,
RECEIVER OF THE YONKERS RAILROAD COMPANY, for
approval of the issuance of receiver's certificates
under section 55 of the Public Service Commissions
Law.

On reading and filing the supplemental application of Leslie Sutherland, receiver of the Yonkers Railroad Company, in this proceeding for amendment of the order entered herein on the 8th day of July, 1908, so that the receiver's certificates authorized to be issued by the Commission in such order shall bear interest at not to exceed six per cent. per annum instead of five and one-half per cent. per annum as specified in such order, it is

Ordered: That the provision in the order of the Commission entered herein on the 8th day of July, 1908, as to payment of interest on receiver's certificates authorized in said order at five and one-half per cent. per annum be and the same is hereby changed so as to read not to exceed six per cent. per annum, and said order is hereby amended accordingly.

[See preceding case; Case No. 126, March 17, 1908, page 394; Case No. 166, September 28, 1908, page 436; Case No. 167, September 29, 1908, page 438; and Case No. 378, September 1, 1908, page 180.]

[Case No. 396]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 13th day
of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the matter of the Petition of the ORANGE COUNTY
TRACTION COMPANY, under section 55 of the Public
Service Commissions Law, for authority to issue four
notes for \$25,000 each, for the refunding of obliga-
tions.

The Orange County Traction Company on July 7, 1908, filed with this Commission its petition under section 55 of the Public Service Commissions Law for authority to issue four notes for \$25,000 each, to be payable in

five years from the date thereof and to bear 6 per cent. annual interest, the proceeds to be used for the refunding of obligations of the company. A hearing on said petition was held by this Commission in the city of Albany on July 10, 1908, at which *D. E. Ainsworth* appeared for the petitioner. It appears from the petition and evidence at the hearing that the petitioner has outstanding certain obligations, being loans, notes, and demand certificates, the aggregate of which is \$102,636.75; that the proceeds of these obligations were expended for construction and equipment of the petitioner's railroad; that the petitioner now desires to refund these obligations by issuing four notes for \$25,000 each, as set forth above. In the opinion of this Commission the use of the capital to be secured by the issue by this petitioner of the four notes for \$25,000 each, hereinafter authorized, is reasonably required for the said purposes of the corporation, namely, the lawful refunding of its obligations as described in the petition and evidence at the hearing. Upon the aforesaid petition and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under section 55 of the Public Service Commissions Law this Commission hereby authorizes the Orange County Traction Company to issue four notes for \$25,000 each, to be payable in five years from the date thereof and to bear 6 per cent. annual interest, to be secured by the personal guaranty of *B. B. Odell, jr.*, and the delivery to the purchaser of said notes as collateral of \$100,000 in bonds of the Orange County Traction Company heretofore issued and in the treasury of the company.

Ordered: 2. That the proceeds of said four notes for \$25,000 each shall be devoted by Orange County Traction Company to and used for the following purpose and no other: namely, the refunding of outstanding obligations, as described in the petition and evidence at the hearing.

Ordered: 3. That said Orange County Traction Company shall make verified reports to this Commission, as follows: (a) Upon the sale of said four notes for \$25,000 each, authorized by this order, or any of them, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; or if said notes are substituted for certain sixty-day notes of said company for \$100,000 now outstanding, the facts in detail connected with such substitution; (b) at the termination of each month from the date of this order, the disposition and use made of the proceeds of said notes, if sold, setting forth in reasonable detail the purpose to which the proceeds have been devoted; and that such reports shall be made until all the proceeds have been expended pursuant to the provisions of this order.

[Case No. 348]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 21st
day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Application of THE DELAWARE
AND HUDSON COMPANY, under subdivision 10 of sec-
tion 4 of the Railroad Law for consent to the ex-
ecution of a first and refunding mortgage upon its
property, rights, and franchises covering \$50,000,000
coupon or registered gold bonds maturing May 1,
1943, and for authority under section 55 of the
Public Service Commissions Law to issue bonds
under said mortgage to the amount of \$26,500,000.

Supplemental
Order.

Whereas, In the application of The Delaware and Hudson Company for
leave to execute a first and refunding mortgage upon its property for

\$50,000,000 and for other authorization, in which application an order was made July 7th granting leave to execute said mortgage, which order contains among other things the following: "the said mortgage to be in accordance with the terms of the form of mortgage filed herein on the 22nd day of June, 1908," and

Whereas, The said company has found in said form of mortgage certain provisions which are unacceptable and which it desires eliminated and certain new provisions inserted, none of which eliminations and additions are material upon this application, and has this day filed a duplicate original of said mortgage as actually executed, and asks for its approval, it is

Ordered: That the form of mortgage actually executed, as shown by said duplicate original so filed, be and the same is hereby authorized and approved as a full compliance with the requirements of said order entered July 7, 1908, subject however to the limitations as to the issue and sale of bonds secured by said mortgage contained in said order dated July 7, 1908, of this Commission in this matter.

[See Case No. 348, July 7, 1908, page 171; Case No. 348, December 7, 1908, page 188; Case No. 348, December 29, 1908, page 191.]

[Case No. 353]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of ROCHESTER AND EASTERN RAPID RAILWAY COMPANY, under section 46 of the Stock Corporation Law for approval of an increase of its common capital stock from \$1,500,000 to \$15,290,200, under section 55 of the Public Service Commissions Law for authority to issue the amount of the increase, and under section 54 of the Public Service Commissions Law for authority to acquire and hold shares of the capital stock of certain street railway companies.

The Rochester and Eastern Rapid Railway Company having on June 3, 1908, filed with this Commission its petition under section 46 of the Stock Corporation Law for approval of an increase of its common capital stock from \$1,500,000 to \$15,290,200, and under section 55 of the Public Service Commissions Law for authority to issue the amount of the increase, and under section 54 of the Public Service Commissions Law for authority to acquire and hold shares of the capital stock of certain street railroad companies hereinafter named; and a hearing on said petition having been held by this Commission at its office in the Capitol, Albany, on June 3, 1908, Walter N. Kernan appearing for the petitioner; and it appearing from the petition and accompanying papers and from evidence at the hearing that The Mohawk Valley Company, a corporation organized and existing under the Business Corporations Law, is the owner of 3373 shares of the preferred and 19,802 shares of the common capital stock of the Syracuse Rapid Transit Railway Company, 25,000 shares of the preferred and 50,000 shares of the common capital stock of the Utica and Mohawk Valley Railway Company, 19,227 shares of the common capital stock of the Oneida Railway Company,

and 20,500 shares of the common capital stock of the Schenectady Railway Company, which are the shares of stock proposed to be acquired by this petitioner; and it further appearing that through the acquirement, in the manner hereinafter authorized, by this petitioner of control by direct ownership of stock of the railroads of the above named companies, funds to meet demands of the public for extensions, improvements, and new equipment of the railroads of said companies may more readily be provided than under the present conditions; now, upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: 1. That under section 46 of the Stock Corporation Law this Commission hereby approves the increase of the capital stock of the Rochester and Eastern Rapid Railway Company from \$1,500,000 to \$15,290,200, and that indorsement of such approval be made in the future upon the duplicate certificates of the consent of the stockholders, according to the provisions of the Stock Corporation Law.

Ordered: 2. That under section 55 of the Public Service Commissions Law this Commission hereby authorizes the Rochester and Eastern Rapid Railway Company to issue in the future, at par, \$13,790,200 common capital stock of the par value of \$100 per share, it being the opinion of this Commission that the use of the capital to be secured by the issue at par by this petitioner of said \$13,790,200 common capital stock is reasonably required for the said purposes of the corporation, to wit: the acquisition of the number of shares hereinafter named of the capital stock of the railroad companies hereinafter named.

Ordered: 3. That said \$13,790,200 capital stock shall be devoted by the Rochester and Eastern Rapid Railway Company to and used for the following purposes, and no other, to wit: the acquisition of 3373 shares of the preferred and 19,802 shares of the common capital stock of the Syracuse Rapid Transit Railway Company, 25,000 shares of the preferred and 50,000 shares of the common capital stock of the Utica and Mohawk Valley Railway Company, 19,227 shares of the common capital stock of the Oneida Railway Company, and 20,500 shares of the common capital stock of the Schenectady Railway Company; and that upon the acquirement by the Rochester and Eastern Rapid Railway Company of said shares of the capital stock of said companies, it shall make a verified report to this Commission, setting forth in detail the manner of the acquirement of said shares of said capital stock, in accordance with the requirements of this order.

[Case No. 406]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the SKANEATELES RAILROAD COMPANY under subdivision 10 section 4 of the Railroad Law for consent to issue a mortgage for \$100,000, and under section 55 of the Public Service Commissions Law for authority to issue one hundred bonds of the denomination of \$1000 each to be secured by said mortgage.

The Skaneateles Railroad Company having on July 17, 1908, filed with this Commission its petition under subdivision 10 section 4 of the Railroad Law for consent to issue a mortgage for \$100,000, and under section 55 of the Public Service Commissions Law for authority to issue one hundred

5 per cent. gold bonds of the denomination of \$1000 each to be secured by said mortgage; and a hearing, after public notice, having been held on said petition by this Commission at its office in the Capitol, Albany, on July 21, 1908, and it appearing from the petition and accompanying papers and from evidence at the hearing that this petitioner has outstanding a first mortgage for \$100,000 securing one hundred 5 per cent. gold bonds of the denomination of \$1000 each, which bonds are due and payable August 1, 1908; and it further appearing that the bonds to be secured by the mortgage hereinafter authorized are to be used to refund said bonds due August 1, 1908, at par; and it appearing to this Commission that the use of the capital to be secured by the issue by this petitioner of the mortgage and mortgage bonds hereinafter authorized is reasonably required for the said purposes of the corporation, to wit: the refunding of the said bonds due August 1, 1908; now, after hearing *M. F. Dillon* for the petitioner, and no one appearing in opposition, it is

Ordered: 1. That under subdivision 10 section 4 of the Railroad Law this Commission hereby consents to the issue by the Skaneateles Railroad Company of a mortgage upon all the property and franchises of said company to secure the payment of one hundred 5 per cent. gold bonds of the denomination of \$1000 each.

Ordered: 2. That under section 55 of the Public Service Commissions Law this Commission hereby authorizes Skaneateles Railroad Company to issue, at not less than par, one hundred 5 per cent. gold bonds of the denomination of \$1000 each, said bonds to be secured by said mortgage.

Ordered: 3. That said bonds, or the proceeds thereof, shall be devoted by Skaneateles Railroad Company to and used for the following purpose and no other, to wit: the refunding of the said one hundred first mortgage bonds of the denomination of \$1000 each, due August 1, 1908.

Ordered: 4. That said Skaneateles Railroad Company shall make verified reports to this Commission, as follows: (a) Upon the sale or exchange of the one hundred first mortgage bonds of the denomination of \$1000 each authorized by this order to be issued, or any part thereof, the fact of such sale or exchange, the terms and conditions of sale or exchange pursuant to the provisions of this order, and the amount realized from any sale; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said bonds, or the facts in relation to their exchange for the said bonds due August 1, 1908, setting forth in reasonable detail the facts of the transaction or transactions; and that such reports shall be made until all the proceeds of said bonds have been expended, or until all of said bonds have been exchanged, pursuant to the provisions of this order.

{Case No. 351]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of ELMIRA, CORNING AND WAVERLY RAILWAY, under sections 54 and 55 of the Public Service Commissions Law.

The Elmira, Corning and Waverly Railway having on May 20, 1907, filed with this Commission its petition under sections 54 and 55 of the Public Service Commissions Law for authority to issue its bonds to the amount of

\$634,000, to be used in purchasing the entire capital stocks of the Corning and Painted Post Street Railway Company, the Waverly, Sayre and Athens Traction Company, the Sayre Railway Company, and bonds of the Waverly, Sayre and Athens Traction Company to the amount of \$134,000; and hearings having been held on said petition by this Commission at its office in the Capitol, Albany, on June 3, 10, and 23, 1908, *George N. Orcutt* and *Charles A. Collin* appearing for the petitioner; now, upon the aforesaid petition and papers accompanying the same and the evidence taken at the hearings, and after due deliberation, it is

Ordered: That said petition be and it is hereby denied.

[Case No. 79]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBOURNE,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the Matter of the Application of the ROCHESTER CORNING ELMIRA TRACTION COMPANY for consent to the execution of a first mortgage for \$8,000,000, and for an order authorizing the issuing of bonds to the amount of \$8,000,000 to be secured by said mortgage, and authorizing the issuing of capital stock to the amount of \$3,880,000.

Supplemental and Modified Order.

Whereas, Upon the application of Rochester Corning Elmira Traction Company an order was made on the 31st day of March, 1908, authorizing an issue of stock and bonds by said company upon terms and conditions set forth specifically in said order; and

Whereas, The said company has made petition asking for a modification of said order, alleging that under certain terms thereof it is impossible for it to dispose of the stocks and bonds necessary to issue for the construction and completion of its road, upon which petition a hearing has been had and evidence taken; and

Whereas, Upon such hearing it has been made to appear satisfactorily that if the said applicant is permitted to construct, first that part of its proposed road extending from Rochester to Conesus Lake, a distance of about twenty-five miles, and equip and put in operation such part prior to the construction of other parts or portions of its proposed road, it will be able to sell and dispose of the stocks and bonds necessary for such construction and equipment upon the terms hereinafter set forth; and

Whereas, It appears that said applicant has in hand the sum of \$120,000 cash, being the proceeds of that amount par value of its capital stock issued and sold by it prior to July 1, 1907; and

Whereas, It appears desirable to modify said order so as to permit the construction of said twenty-five miles of road, the estimated cost of which is, as nearly as can be estimated, about the sum of \$1,350,000; now, after due deliberation, it is

Ordered: That the issue of the capital stock of said company to the amount of \$380,000 par value, and of the bonds of said company as described in said order to the amount par value of \$1,000,000, be and the same is hereby authorized pursuant to section 55 of the Public Service Commissions Law, the use of the capital to be secured by the issue of such stocks and bonds

being in the opinion of the Commission reasonably required for the construction and equipment of the proposed road of the said company from Rochester to Conesus Lake; upon the following conditions, however, which are hereby made a part of this supplemental and modifying order: (a) that none of the proceeds of said stock and bonds be used for any of the purposes making up the aggregate sum of \$1,049,305 allowed in the original order, and particularly specified on page 21 of the printed opinion of the Commission in this case; (b) that the proceeds of said stock and bonds shall be used exclusively for the construction and equipment of that part of the proposed road extending from Rochester to Conesus Lake, and that if said proceeds are more than sufficient for that purpose, they shall be held by the company until further order touching such excess; (c) that no bonds shall be issued or sold until stock to the aggregate amount par value of \$380,000 shall have been subscribed for by responsible parties, such subscription to be proved to the Commission by affidavit or in such other manner as it may direct; (d) that if any of the stock so subscribed for can be disposed of for property or services to be used or rendered in such construction and equipment, all such stock may be issued as upon such subscriptions and in lieu of an equal amount thereof; provided, and not otherwise, the approval of this Commission shall have been secured to the contract or contracts for the sale of such stock for property or services; (e) that no bonds shall be issued until after the contract for sale shall have been approved by this Commission, such contract or contracts having been reported under oath to it; (f) that a copy of the supplemental and modifying order shall be furnished the vendee of any bonds at the time of sale, to the end that each and every vendee may have actual knowledge that said bonds are issued pursuant to the terms of said modifying order and not of the original order; (g) that reports shall be made from time to time, as the Commission shall direct, of all proceedings had and taken by the applicant under such supplemental and modifying order; (h) that said original order be and remain in full force except as herein expressly modified.

[See Case No. 79, March 31, 1908, page 155; and Case No. 79, September 22, 1908, page 182.]

[Case No. 378]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTEP,
Commissioners.

In the matter of the Application of LESLIE SUTHERLAND, RECEIVER OF THE YONKERS RAILROAD COMPANY, for approval of the issuance of receiver's certificates under section 55 of the Public Service Commissions Law.

On reading and filing the supplemental petition of Leslie Sutherland, receiver of the Yonkers Railroad Company, dated August 29, 1908, and a copy of an order of the Supreme Court of the State of New York in and for the county of Westchester dated August 29, 1908, authorizing the said receiver to issue receiver's certificates in the sum of sixty-five thousand dollars (\$65,000); and it appearing from said petition that because of question having been raised affecting the original appointment of said receiver the order of the Commission entered in this proceeding on the 8th day of July, 1908, as amended by order entered on the 13th day of July, 1908,

should be issued as upon said supplemental petition and the order entered in the Supreme Court of the State of New York in and for the county of Westchester on the 29th day of August, 1908; and it further appearing to the Commission that the proceeds from the sale of said certificates as authorized by said order of the Supreme Court are to be used for the purchase of fifteen additional double-truck cars not less than forty feet long, fully vestibuled, equipped with an improved type of air brake and electrical equipment, as set forth in statements and copies of proposed contracts on file, and that the proceeds to be derived from the sale of said certificates are reasonably required for the said purpose:

It is Ordered: That the orders entered herein on the 8th and 13th days of July, 1908, be and the same are hereby vacated.

It is further Ordered: That Leslie Sutherland, receiver of the Yonkers Railroad Company, be and is hereby authorized, under section 55 of the Public Service Commissions Law, to issue his certificates as such receiver to the amount of sixty-five thousand dollars (\$65,000), bearing not to exceed six per cent. interest per annum, and to sell the same at not less than par, the said certificates being those heretofore authorized by order of the Supreme Court of the State of New York in and for the county of Westchester duly entered on the 29th day of August, 1908, and upon condition that the proceeds derived from the sale of said certificates shall be used for the sole purpose of purchasing fifteen double-truck cars not less than forty feet long, fully vestibuled, and equipped with an approved type of air brake and electrical equipment in accordance with specifications set forth in statements and copies of proposed contracts on file in this proceeding.

And it is further Ordered: That Leslie Sutherland, receiver of the Yonkers Railroad Company, be and is hereby directed, under Rule 25 of the Rules of Practice, to report under oath the sale or sales of the obligations authorized, and to also make a verified report showing in detail the use and application by him of the moneys so realized, which said report shall be made within three months from the date hereof and be supplemented by further report each month thereafter until such moneys shall have been fully expended.

[See Case No. 126, March 17, 1908, page 394; Case No. 378, July 8, 1908, page 173; Case No. 378, July 13, 1908, page 174; Case No. 166, September 28, 1908, page 436; and Case No. 167, September 29, 1908, page 438.]

[Case No. 468]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of FRANK SULLIVAN SMITH,
AS RECEIVER OF THE PITTSBURG, SHAWMUT AND
NORTHERN RAILROAD COMPANY, under section 55 of the
Public Service Commissions Law, for authority to
issue notes in payment for new locomotives.

Frank Sullivan Smith, as receiver of The Pittsburg, Shawmut and Northern Railroad Company, having on September 9, 1908, filed with this Commission his petition under section 55 of the Public Service Commissions Law for authority to execute and deliver to Burnham, Williams and Company of Philadelphia, Pa., known as the Baldwin Locomotive Works, his notes as receiver of said railroad company in part payment for six freight locomotive

engines to be purchased by him as said receiver; and it appearing that the Supreme Court of this State has authorized him to purchase said six locomotive engines at a cost of \$15,950 each, \$95,700 in total, twenty per cent. of said cost to be paid by receiver's certificates of indebtedness heretofore authorized to be issued by the courts of this State and of the United States, and the balance of said cost to be paid in quarterly payments extending over a period of three years to be evidenced by notes bearing six per cent. interest per annum to be executed by said receiver and to be secured by lien upon said six locomotives; and it appearing that through increase in business on said company's railroad, particularly because of the development of new coal mines, the product of which is tributary thereto, the acquisition of said locomotive engines is necessary for the improvement of the service on said railroad; and it being the opinion of this Commission, from the petition and accompanying papers herein, that the use of the capital to be secured by the execution and delivery of said notes hereinafter authorized is reasonably required for the said purposes, to wit, the improvement of the service on said railroad; now, upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: 1. That under section 55 of the Public Service Commissions Law this Commission hereby authorizes Frank Sullivan Smith, as receiver of The Pittsburg, Shawmut and Northern Railroad Company, to execute and deliver to Burnham, Williams and Company of Philadelphia, Pa., known as the Baldwin Locomotive Works, the necessary notes bearing six per cent. annual interest and extending over a period of three years, for part payment for six freight locomotive engines to be purchased by him as said receiver, said locomotive engines to cost \$15,950 each, \$95,700 in total, twenty per cent. of said cost to be paid by receiver's certificates of indebtedness heretofore authorized to be issued by the courts of this State and of the United States, and the balance of said cost to be paid by said notes hereby authorized to be issued.

Ordered: 2. That said Frank Sullivan Smith, as receiver, shall make verified reports to this Commission upon the delivery to him of any of the said locomotive engines, setting forth the fact of such delivery and a statement of the notes issued therefor, in accordance with the terms of this order, such reports to be made until all of said locomotives are delivered and the notes issued.

Ordered: 3. That this order shall take effect when there is filed with this Commission a certified copy of an order of the United States Circuit Court for the western district of Pennsylvania authorizing said petitioner to purchase said locomotives.

[Case No. 79]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 22d day
of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKEE,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Application of the ROCHESTER CORNING ELMIRA TRACTION COMPANY for consent to the execution of a first mortgage for \$8,000,000, and for an order authorizing the issuing of bonds to the amount of \$8,000,000 to be secured by said mortgage, and authorizing the issuing of capital stock to the amount of \$3,860,000.

Supplemental
Order.

Upon the petition verified September 9, 1908, of this petitioner, and upon reading the original stock subscription papers, copies of which are attached to the petition, and after due deliberation, it is

Ordered: That the Rochester Corning Elmira Traction Company be and it is hereby authorized to sell and issue its bonds to the amount, par value, of \$1,000,000, pursuant and subject in all respects to the terms and conditions of the order of this Commission dated the 27th day of July, 1908, stock of said company to the amount of \$380,000 having been subscribed for pursuant to condition (c) of said order.

[See Case No. 79, March 31, 1908, page 155; and Case No. 79, July 27, 1908, page 179.]

[Case No. 454]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the BUFFALO, LOCKPORT AND ROCHESTER RAILWAY COMPANY for consent to join with The Buffalo, Lockport and Rochester Rolling Stock Company in executing and delivering a mortgage on rolling stock to secure bonds.

The Buffalo, Lockport and Rochester Railway Company having on August 29, 1908, filed with this Commission its petition for authority to execute and deliver to the Commonwealth Trust Company of Buffalo, jointly with The Buffalo, Lockport and Rochester Rolling Stock Company, a mortgage for \$200,000, which shall be a lien upon fifteen completely finished and electrically equipped interurban passenger cars and two completely finished and electrically equipped combination baggage and express cars; and hearings on said petition having been held by this Commission, *W. L. Marcy* appearing for the petitioner; and it appearing that the said cars are to be operated by the said company; and it further appearing that upon the payment, in ten annual equal amounts, by said railway company, of bonds of said rolling stock company for \$200,000, with interest at five per cent. per annum, said seventeen cars will become the property of said railway company; and it further appearing that said rolling stock company is to issue said \$200,000 in bonds at not more than ten per cent. discount, and with the proceeds pay in the first instance for said seventeen cars; now, upon the aforesaid petition and accompanying papers and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That this Commission hereby authorizes the Buffalo, Lockport and Rochester Railway Company to join with The Buffalo, Lockport and Rochester Rolling Stock Company in the execution and delivery to the Commonwealth Trust Company of Buffalo of a mortgage for \$200,000, containing a guaranty that said railway company will pay, in ten annual equal amounts, principal, and interest at five per cent. per annum, \$200,000 in bonds to be issued under said mortgage at not less than ninety per cent. of their par value, by The Buffalo, Lockport and Rochester Rolling Stock Company; upon condition that said mortgage shall provide that it is a lien upon fifteen completely finished and electrically equipped interurban passenger cars, giving their numbers, and two completely finished and electrically equipped baggage and express cars, giving their numbers, to be operated solely upon the Buffalo, Lockport and Rochester railway and lines upon which said company may have trackage rights; and shall further provide that said cars shall become the property of the Buffalo, Lockport and Rochester Railway Company free of any lien when the bonds secured by said mortgage are paid.

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Ordered: 2. That before the said mortgage, bonds, and other necessary papers are executed and delivered they shall be submitted to this Commission for its approval, without which they shall not be executed and delivered.

This Commission is of the opinion that the capital to be secured by the issue of said evidence of indebtedness is reasonably required for the said purposes of the Buffalo, Lockport and Rochester Railway Company, to wit, the improvement and maintenance of its service.

[See case next following.]

[Case No. 454]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the BUFFALO, LOCKPORT AND ROCHESTER RAILWAY COMPANY for consent to join with the Buffalo, Lockport and Rochester Rolling Stock Company in executing and delivering a mortgage on rolling stock to secure bonds.

Supplemental Order.

After due deliberation, it is

Ordered: That the form of agreement between the Buffalo, Lockport and Rochester Railway Company and The Buffalo, Lockport and Rochester Rolling Stock Company for the purchase of cars submitted to this Commission and the form of mortgage to be executed by said companies to the Commonwealth Trust Company as trustee covering said cars, be and they hereby are approved, and the said Buffalo, Lockport and Rochester Railway Company is hereby authorized to execute the same pursuant to the terms of the order of this Commission in said matter dated October 7, 1908.

[See preceding case.]

[Case No. 506]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the CARTHAGE AND COPENHAGEN RAILROAD COMPANY, under subdivision 10 section 4 of the RAILROAD LAW for consent to issue a mortgage for \$75,000, and under section 55 of the Public Service Commissions Law for authority to issue \$75,000 in bonds to be secured by said mortgage.

The Carthage and Copenhagen Railroad Company having on September 25, 1908, filed with this Commission its petition under subdivision 10 section 4

of the Railroad Law for consent to issue a mortgage for \$75,000, and under section 55 of the Public Service Commissions Law for authority to issue \$75,000 in bonds to be secured by said mortgage; and a hearing on said petition, after public notice, having been held by this Commission in the Capitol, Albany, on October 13, 1908, *W. B. Van Allen* appearing for the petitioner; and it appearing from the petition and papers and from evidence at the hearing that this petitioner had heretofore sold \$20,000 in bonds under a first mortgage for \$60,000 heretofore authorized, which \$20,000 in bonds have been surrendered to the company so that it has now no bonds outstanding; and it further appearing that of the \$75,000 in bonds herein-after authorized, \$20,000 are to be delivered to the former holders of the \$20,000 bonds under the present first mortgage so surrendered, and the proceeds of \$55,000 are to be used to discharge lawful obligations of the company, consisting of notes and other indebtedness for construction and equipment; and it appearing to this Commission that the use of the capital to be secured by the issue by this petitioner of the mortgage and mortgage bonds herein-after authorized is reasonably required for the said purposes of the corporation; now, upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: 1. That under subdivision 10 of section 4 of the Railroad Law this Commission hereby consents to the issue by the Carthage and Copenhagen Railroad Company of a mortgage upon all the property and franchises of said company to secure the payment of \$75,000 in bonds.

Ordered: 2. That under section 55 of the Public Service Commissions Law this Commission hereby authorizes the Carthage and Copenhagen Railroad Company to issue \$75,000 in bonds, bearing interest at not more than six per cent. per annum, to be secured by said mortgage.

Ordered: 3. That none of the bonds hereby authorized to be issued shall be issued until after the existing first mortgage upon said company's property and franchises shall be satisfied and discharged of record.

Ordered: 4. That \$20,000 in bonds hereby authorized to be issued shall be delivered to the former holders of the \$20,000 bonds under the present first mortgage so surrendered.

Ordered: 5. That the remaining \$55,000 in bonds hereby authorized to be issued shall not be sold for less than ninety-five per cent. of their par value, and the proceeds thereof shall be used to discharge lawful obligations of the company, consisting of notes and other indebtedness for construction and equipment as described in the evidence at the hearing.

Ordered: 6. That said Carthage and Copenhagen Railroad Company shall make verified reports to this Commission, as follows: (a) Upon the delivery of \$20,000 in bonds authorized by this order to be issued to the former holders of \$20,000 in bonds under the present first mortgage, the facts in relation thereto; (b) upon the sale of the remaining \$55,000 in bonds authorized by this order to be issued, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom, which shall not be less than ninety-five per cent. of their par value; (c) at the expiration of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said \$55,000 in bonds, in accordance with the terms of this order, setting forth in reasonable detail the purposes to which the proceeds have been devoted.

[Case No. 522]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Petition of the NEWTON FALLS AND NORTHERN RAILROAD under section 55 of the Public Service Commissions Law for authority to issue the \$70,000 common capital stock named in its articles of association.

The Newton Falls and Northern Railroad having on October 15, 1908, filed with this Commission its petition under section 55 of the Public Service Commissions Law for authority to issue the \$70,000 common capital stock, par value \$100 a share, named in its articles of association; and a public hearing on said petition having been held by this Commission in the Capitol, Albany, on November 9, 1908, *William Gillen* appearing for the petitioner; and it appearing that the petitioner has agreed to purchase a certain private, standard gauge, steam railroad owned and operated by the Robert W. Higbie Company as a lumber railroad, which railroad extends from Newton Falls to New Bridge in St. Lawrence county in this State, and to pay for said railroad by issuing to said Robert W. Higbie Company six hundred and thirty shares of its said capital stock at par, representing \$63,000, and paying to said company \$7000 in cash; and it being the opinion of this Commission that the use of the capital to be secured by the issue by this petitioner of the \$70,000 common capital stock hereinafter authorized is reasonably required for the said purposes of the corporation, viz., the acquisition of said constructed railroad; now, upon the aforesaid petition and accompanying papers and evidence at the hearing, it is

Ordered: 1. That under section 55 of the Public Service Commissions Law this Commission hereby authorizes the Newton Falls and Northern Railroad to issue the \$70,000 common capital stock, par value \$100 a share, named in the articles of association of said company, \$7000 of said stock to be issued for cash and \$63,000 of said stock to be issued for property.

Ordered: 2. That said \$70,000 common capital stock shall not be issued for less than the par value thereof.

Ordered: 3. That said \$70,000 common capital stock and the proceeds thereof shall be devoted by the Newton Falls and Northern Railroad to and used for the following purposes and no other, to wit: \$63,000 in stock and the proceeds of \$7000 in cash for the acquisition by this petitioner, from the Robert W. Higbie Company, of the private, standard gauge, steam railroad extending from Newton Falls to New Bridge in St. Lawrence county in this State.

Ordered: 4. That said Newton Falls and Northern Railroad shall make verified report to this Commission, as follows: upon the completion of the purchase of said constructed railroad and the payment therefor to the Robert W. Higbie Company of said \$63,000 common capital stock and \$7000 in cash, the facts of said transaction.

[Case No. 620]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
of December, 1908.**

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTEN,
Commissioners.

In the matter of the Petition of THE LEHIGH AND HUDSON RIVER RAILWAY COMPANY under section 55 of the Public Service Commissions Law for authority to issue bonds.

The Lehigh and Hudson River Railway Company having filed with this Commission its petition under section 55 of the Public Service Commissions Law for authority to issue \$30,000 in bonds of the denomination of \$1000 each, secured by its general mortgage dated July 1, 1890, the said bonds being payable July 1, 1920, and bearing interest at the rate of five per cent. per annum, and \$161,000 in debenture bonds of the denomination of \$1000 each authorized by its board of directors November 1, 1906, the debenture agreement being dated May 10, 1907, said debenture bonds being payable July 1, 1920, and bearing interest at the rate of four per cent. per annum; and it appearing that the proceeds of said general mortgage bonds and said debenture bonds proposed to be issued are to be used by the petitioner for the improvement of its service, discharge of certain of its obligations, and the extension and improvement of its facilities, as described in the petition and accompanying papers herein; now, upon the aforesaid petition and accompanying papers, and after hearing John J. Beattie, counsel for said petitioner, it is

Ordered: 1. That under section 55 of the Public Service Commissions Law this Commission hereby authorizes The Lehigh and Hudson River Railway Company to issue \$30,000 in bonds of the denomination of \$1000 each, secured by the general mortgage dated July 1, 1890, of said company, said bonds being payable July 1, 1920, and bearing interest at the rate of five per cent. per annum; and hereby authorizes said company to issue \$161,000 in its debenture bonds of the denomination of \$1000 each, under a debenture agreement dated May 10, 1907, said debenture bonds being payable July 1, 1920, and bearing interest at the rate of four per cent. per annum; the use of the capital to be secured by the issue of said \$30,000 in general mortgage bonds and said \$161,000 in debenture bonds being in the opinion of this Commission reasonably required for the said purposes of the corporation.

Ordered: 2. That said \$30,000 in general mortgage bonds shall not be sold for less than par, and that said \$161,000 in debenture bonds shall be sold at a price equivalent to a five and one-quarter per cent. interest basis on the amount to be paid by the purchaser thereof.

Ordered: 3. That the proceeds of said \$30,000 in general mortgage bonds and said \$161,000 in debenture bonds shall be devoted to and used for the following purposes and no other, to wit: the improvement of its service, the discharge of certain of its obligations, and the extension and improvement of its facilities, as described in the petition and accompanying papers herein.

Ordered: 4. That The Lehigh and Hudson River Railway Company shall make verified reports to this Commission, as follows: (a) Upon the sale of said \$30,000 in general mortgage bonds and said \$161,000 in debenture bonds, the fact of such sale, the terms and conditions of sale as limited herein, and the amounts realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said general mortgage bonds and said debenture bonds, until all the said proceeds have been expended pursuant to the provisions of this order.

[Case No. 348]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,

Commissioners.

In the matter of the Application of THE DELAWARE AND HUDSON COMPANY, under subdivision 10 of section 4 of the Railroad Law for consent to the execution of a first and refunding mortgage upon its property, rights, and franchises covering \$50,000,000 coupon or registered gold bonds maturing May 1, 1943, and for authority under section 55 of the Public Service Commissions Law to issue bonds under said mortgage to the amount of \$26,500,000.

The Delaware and Hudson Company having on June 3, 1908, filed an application under subdivision 10 of section 4 of the Railroad Law for consent of the Commission to the execution by it to the Farmers Loan and Trust Company as trustee, of a first and refunding mortgage upon its railroad property, railroad rights, and railroad franchises, securing gold bonds to the amount of fifty million dollars (\$50,000,000) maturing May 1, 1943, bearing not to exceed four per cent. interest annually; and for authority under section 55 of the Public Service Commissions Law to issue twenty million dollars (\$20,000,000) of such bonds for the purpose of paying off certain note obligations amounting to nineteen million one hundred and thirty-seven thousand five hundred dollars (\$19,137,500), and in addition to set aside and use six million five hundred thousand dollars (\$6,500,000) of such bonds to retire or pay off at or before maturity outstanding bonds under three existing mortgages; and the Commission having on the 7th day of July, 1908, entered an order upon said application consenting to the execution of the said first and refunding mortgage subject to certain stated limitations as to the issue and sale of bonds thereunder, and authorizing the issue of bonds under said mortgage of the par value of six million five hundred thousand dollars (\$6,500,000) to retire or pay off at or before maturity the bonds outstanding under said three existing mortgages, and the further issue of bonds under said first and refunding mortgage of the par value of thirteen million three hundred and nine thousand dollars (\$13,309,000), the sale thereof limited to not less than ninety-five per cent. of the par value, for the purpose of paying off outstanding note obligations of the applicant to the amount of twelve million six hundred and forty-four thousand and eighty dollars and twenty-two cents (\$12,644,080.22); and three remaining matters set forth in said application having been reserved by the Commission for the submission of additional proofs at a further hearing, such remaining matters are as follows, to wit:

1. An issue of bonds under said first and refunding mortgage to be used in refunding or discharging specified outstanding note obligations of the applicant amounting to two hundred and thirty thousand eight hundred and sixty-eight dollars and forty-two cents (\$230,868.42), the proceeds of which were used by the applicant to the purchase by and through the Northern New York Development Company of the stock and bonds and other evidences of indebtedness of the Troy and New England Railway Company.

2. An issue of bonds under said first and refunding mortgage to be used in refunding or discharging specified outstanding note obligations of the applicant the proceeds of which to the amount of four million six hundred and sixty-five thousand two hundred and ninety-five dollars and eighty-five

cents (\$4,065,295.85) were loaned by the applicant to the Northern New York Development Company, and for which the Northern New York Development Company thereafter transferred and delivered to the applicant a certificate of indebtedness of the United Traction Company for the sum of seven million five hundred thousand dollars (\$7,500,000) in payment of its indebtedness for the moneys so loaned, and which certificate of indebtedness the applicant thereupon surrendered to said United Traction Company in consideration of the issuance to it of seventy-five thousand (75,000) shares of the capital stock of the said United Traction Company of the par value of seven million five hundred thousand dollars (\$7,500,000).

3. An issue of bonds under said first and refunding mortgage to be used in refunding or discharging specified outstanding note obligations of the applicant the proceeds of which were loaned to the Hudson Coal Company and applied by said Hudson Coal Company on the purchase of coal lands in Pennsylvania by the Shanferoke Coal Company and the Schuylkill Coal and Iron Company, and for which money and other moneys loaned the said Shanferoke Coal Company and the Schuylkill Coal and Iron Company delivered their certificates of indebtedness to the said Hudson Coal Company in the amount of three million three hundred and twenty-eight thousand seven hundred and thirty-eight dollars and twenty-eight cents (\$3,328,738.28) by the Shanferoke Coal Company, and in the amount of two million three hundred and fifty-eight thousand five hundred and twenty-two dollars and twenty-five cents (\$2,358,522.25) by the Schuylkill Coal and Iron Company, which said certificates of indebtedness were thereafter transferred and delivered by said Hudson Coal Company to the applicant.

And further proofs as to said three matters remaining undisposed of by the Commission upon said application having been submitted to the Commission on the 6th day of August, 1908, at a hearing duly fixed for that purpose; and as to said matters the Commission having also heard arguments of counsel for the applicant on the 31st day of August, 1908, and counsel having thereafter filed briefs in relation to said matters, and the case having been finally submitted upon such filing of briefs which was concluded on the 5th day of September, 1908; and the case as to said matters having been thereupon taken under advisement by the Commission, and all matters and things remaining to be determined upon said application having been fully considered, now, after due deliberation by the Commission,

Ordered: 1. That in addition to the consent to said first and refunding mortgage and authority for an issue of bonds thereunder to the amount of nineteen million eight hundred and nine thousand dollars (\$19,809,000) granted by the order of the Commission entered herein on the 7th day of July, 1908, this Commission does now, upon further hearing and argument in this matter, approve and authorize a further issue of bonds by the applicant, The Delaware and Hudson Company, under the said first and refunding mortgage, to the amount of two hundred and thirty thousand dollars (\$230,000) according to the terms and conditions of subdivision 3 of said order of the 7th day of July, 1908, for the purpose of refunding or discharging certain note obligations of the applicant for a similar amount the proceeds of which were used to purchase Troy and New England Railway Company securities to the amount of two hundred and thirty thousand eight hundred and sixty-eight dollars and forty-two cents (\$230,868.42), it appearing to the Commission that the capital to be derived from the said issue of bonds is reasonably required for the purposes of the applicant corporation as described in section 55 of the Public Service Commissions Law;

Ordered: 2. That so much of the application herein as prays for authorization of an issue of bonds maturing May 1, 1943, bearing not to exceed four per cent. interest, the said bonds to be issued pursuant to the terms of and secured by the first and refunding mortgage executed by the applicant, The Delaware and Hudson Company, to the Farmers Loan and Trust Company as trustee, said mortgage covering only the steam railroad properties of the applicant, the capital to be secured by the issue of said bonds to be used in the refunding or discharging of certain obligations of the applicant

to the amount of four million six hundred and sixty-five thousand two hundred and ninety-five dollars and eighty-five cents (\$4,665,295.85), which said obligations are evidenced by certain promissory notes of the applicant aggregating the sum aforesaid, the moneys for which said notes, or notes of which the outstanding notes are renewals, were given, having been loaned by the applicant to the Northern New York Development Company, and for which the said Northern New York Development Company thereafter transferred and delivered to the applicant a certificate of indebtedness of the United Traction Company for the sum of seven million five hundred thousand dollars (\$7,500,000) in payment of its indebtedness for the moneys so loaned, and which certificate of indebtedness the applicant surrendered to the said United Traction Company in consideration of the issuance to it of seventy-five thousand (75,000) shares of the capital stock of said United Traction Company of the par value of seven million five hundred thousand dollars (\$7,500,000), be, in the exercise of and pursuant to the discretion of the Commission, upon all the facts and circumstances as disclosed by all the evidence adduced by the applicant in support of the application, denied; and that in the exercise of such discretion, upon all the facts and circumstances of the case, an order authorizing said proposed issue of said bonds be and the same is hereby refused.

Ordered: 3. That so much of the application herein as prays for authorization of an issue of bonds maturing May 1, 1943, bearing not to exceed four per cent. interest, the said bonds to be issued pursuant to the terms of and secured by the first and refunding mortgage executed by the applicant, The Delaware and Hudson Company, to the Farmers Loan and Trust Company as trustee, said mortgage covering only the steam railroad properties of the applicant, the capital to be secured by the issue of said bonds to be used in the refunding or discharge of certain obligations of the applicant to the amount of two million five hundred thousand dollars (\$2,500,000), which said obligations are evidenced by certain promissory notes of the applicant aggregating the sum aforesaid, the moneys for which said notes, or notes of which the outstanding notes are renewals, were given, having been loaned by the applicant to the Hudson Coal Company and applied by said Hudson Coal Company on the purchase of coal lands in Pennsylvania by the Shanferoke Coal Company and the Schuylkill Coal and Iron Company, and for which money and other moneys the said Shanferoke Coal Company and the Schuylkill Coal and Iron Company delivered their certificates of indebtedness to the said Hudson Coal Company in the amount of three million three hundred and twenty-eight thousand seven hundred and thirty-eight dollars and twenty-eight cents (\$3,328,738.28) by the Shanferoke Coal Company, and in the amount of two million three hundred and fifty-eight thousand five hundred and twenty-two dollars and twenty-five cents (\$2,358,522.25) by the Schuylkill Coal and Iron Company, which said certificates of indebtedness were thereafter transferred and delivered by said Hudson Coal Company to the applicant, be, in the exercise of and pursuant to the discretion of the Commission, upon all the facts and circumstances as disclosed by all the evidence adduced by the applicant in support of the application, denied; and that in the exercise of such discretion, upon all the facts and circumstances of the case, an order authorizing said proposed issue of said bonds be and the same is hereby refused.

[See Case No. 348, July 7, 1908; page 171; Case No. 348, July 21, 1908, page 175; and case next following.]

[Case No. 348]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Application of THE DELAWARE AND HUDSON COMPANY, under subdivision 10 of section 4 of the Railroad Law for consent to the execution of a first and refunding mortgage upon its property, rights, and franchises covering \$50,000,000 coupon or registered gold bonds maturing May 1, 1943, and for authority under section 55 of the Public Service Commissions Law to issue bonds under said mortgage to the amount of \$26,500,000.

The Commission having heretofore and on the 7th day of December, 1908, made an order in the above entitled matter denying the application of The Delaware and Hudson Company for permission, under section 55 of the Public Service Commissions Law, to issue bonds secured by its first and refunding mortgage previously authorized by the Commission: to refund obligations of the Company theretofore given to the amount of \$4,665,295.83, the proceeds of which were used in the purchase, in the name of the United Traction Company, of securities of the Hudson Valley Railway Company; and to discharge or refund other obligations of that company, theretofore given, to the amount of \$2,500,000, the proceeds of which were used to aid the Hudson Coal Company in purchasing coal lands in the State of Pennsylvania; on reading and filing the petition of The Delaware and Hudson Company for a rehearing of said order, and of the matter in which it was made, in so far as it denied the application of said company, verified December 28, 1908, for certain alleged errors in the decision so rendered, which are set forth in said petition, as appearing in and from the record before the Commission in this matter; after hearing *Lewis E. Carr*, counsel for the petitioner, in support of said petition, and due consideration of the same, no sufficient reasons appearing for granting a rehearing of the order and decision of the Commission in this matter; it is

Ordered: That a rehearing of the order and decision of the Commission in this matter be and the same hereby is denied.

[See Case No. 348, July 7, 1908, page 171; Case No. 348, July 21, 1908, page 175; and case next preceding.]

APPENDIX D.

IN THE MATTER OF DISCONTINUING SERVICE AND ABANDONMENT
OF PORTIONS OF ROUTE OR STATIONS.

[193]



APPENDIX D.

[Case No. 179]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 31st day of December, 1907.

Present:

FRANK W. STEVENS, Chairman.
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the GLENFIELD AND WESTERN RAILROAD COMPANY, under section 55 of the Railroad Law, for permission to cease the operation of its railroad from February 1, 1908, to April 30, 1908, both inclusive.

The Glenfield and Western Railroad Company on December 31, 1907, filed with this Commission its petition, under section 55 of the Railroad Law, for permission to cease the operation of its railroad from February 1, 1908, to April 30, 1908, both inclusive; and it appearing that the facts are such that such permission should be given, it is

Ordered: 1. That under section 55 of the Railroad Law permission be and it is hereby given to the Glenfield and Western Railroad Company to cease operation of its railroad from February 1, 1908, to April 30, 1908, both inclusive; such operation to be resumed May 1, 1908.

Ordered: 2. That a certified copy of this order shall be posted in all the depots and at the termini of such railroad, and published in every newspaper in each town in any part of which such road shall be constructed at least four weeks prior to the date of such suspension of operation.

[Case No. 169]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY for the approval of a declaration of abandonment of a portion of its route.

On reading and filing the application of the Western New York and Pennsylvania Traction Company for the approval of a declaration of abandonment of that portion of the route of the Rock City division of the said Western

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New York and Pennsylvania Traction Company's railroad, extending from the northerly bounds of Irving street in the town of Olean, through the towns of Olean and Allegany to a point in the town of Allegany, Cattaraugus county, New York, which point is at the intersection of the center line of said route with the northerly bounds of the highway extending from the Olean-Rock City highway to the Four-Mile Valley, under section 103 of the Railroad Law; and the petitioner having filed with this Commission due proofs of publication of notice of the hearing in the Olean Herald, and Olean Morning Times, newspapers published in the city of Olean, New York, and in the Allegany Citizen, a newspaper published in the village of Allegany, Cattaraugus county, New York; and said hearing having been brought on and heard on the 1st day of February, 1908, at 46 Fenton Building, in the city of Jamestown, New York, at the time and place stated in said notice, the Western New York and Pennsylvania Traction Company appearing by Joseph L. Page its attorney, and no one appearing in opposition; and after hearing the proofs and allegations of said petitioner, it is

Ordered: That said application be and is hereby granted, and that the approval of this Commission of the declaration of abandonment of that portion of the route of the Rock City division of the railway of the Western New York and Pennsylvania Traction Company, extending from the northerly bounds of Irving street in the town of Olean, through the towns of Olean and Allegany to a point in the town of Allegany, Cattaraugus county, New York, which point is at the intersection of the center line of said route with the northerly bounds of the highway extending from the Olean-Rock City highway to the Four-Mile Valley, shall be indorsed upon the declaration of abandonment adopted by the directors and stockholders of said company as provided by section 103 of the Railroad Law.

[Case No. 228]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman.
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Discontinuance of Operation of a portion of the High Street Line, in the city of Watertown, of the Black River Traction Company.

The Black River Traction Company, owning a street railroad in the city of Watertown, including a line on High street in said city, having discontinued operating a portion of said High Street line on or about February 9, 1908, it is

Ordered: 1. That the Black River Traction Company resume operation forthwith of said part of its High Street line in the same manner and according to the schedule in force on or about February 9, 1908.

Ordered: 2. That this order shall take effect forthwith upon its being served on said company, and shall continue in force pending the hearing and determination of a petition to this Commission, of said company, for consent to the discontinuance of the said portion of said company's High Street line.

[See two cases next following; and Case No. 228, July 16, 1908, page 200; Case No. 228, July 30, 1908, page 202; Case No. 228, November 10, 1908, page 204.]

[Case No. 224]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
 CHARLES H. KEEP,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 Commissioners.

In the matter of the Petition of the BLACK RIVER TRACTION COMPANY under section 103 of the Railroad Law.

The Black River Traction Company of Watertown on February 20, 1908, filed with this Commission its petition, under section 103 of the Railroad Law, for approval of a declaration of abandonment of the portion of the petitioner's constructed railroad in the city of Watertown known as the High Street line, beginning at the intersection of State and High streets and extending through High street to Factory street, along Factory street to Pearl street, along Pearl street to Water street. A hearing on said petition was held by this Commission in the Capitol, Albany, on February 24th; *D. M. Cosgrrove* appeared for the applicant; *Isaac R. Breen* appeared for the city of Watertown, in opposition; *F. H. Boyer* appeared for the New York Air Brake Company, and others, in opposition. On the evidence taken at the hearing, and after due deliberation, it is

Ordered: That said petition be and it is hereby denied.

[See preceding case, and case next following; and Case No. 228, July 16, 1908, page 200; Case No. 228, July 30, 1908, page 202; Case No. 228, November 10, 1908, page 204.]

[Case No. 228]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
 CHARLES H. KEEP,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 Commissioners.

In the matter of the Discontinuance of Operation of the High Street Line of the Black River Traction Company in the city of Watertown.

The Black River Traction Company, owning a street railroad in the city of Watertown, including what is known as the High Street line, beginning at the intersection of State and High streets and extending through High street to Factory street, along Factory street to Pearl street, along Pearl street to Water street, having discontinued operating said High Street line on or about February 9, 1908, and this Commission, by order dated February 18, 1908, having ordered the resumption of operation on said line; now, after due deliberation, it is

Ordered: 1. That the said Black River Traction Company be required forthwith to operate its cars upon that portion of its said road extending from State street along High street to Factory Square, but that it be not required to operate its cars on that portion of its road extending northerly

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from Factory Square to the terminus of said branch until the following conditions are complied with: The city of Watertown shall cause the iron bridge across Black river to be examined by a competent engineer, and the report of said engineer shall be submitted to this Commission. Whenever any such report shall show that the said bridge is in a safe condition to operate the cars of said Traction company upon and across the same, this Commission will then take further action. The said company will not be required to operate its cars north of the said bridge until the city of Watertown shall have granted to it the right to place its track in the center of the street across the island in Black river. Whenever such right shall have been granted it, the company shall forthwith change its track to the center of the street, and in case the precise location thereof can not be agreed upon by the company and the city engineer of said city of Watertown, this Commission will determine the location upon proper application made. Until the report of the engineer upon the condition of the bridge, and until the change of track to the center of the street, as herein required, the Black River Traction Company shall not be required to operate its cars north of Factory Square along said route.

Ordered: 2. That the said Black River Traction Company be and it is hereby directed to place derailers at all steam railroad crossings upon that part of its road extending along High street, and also suitable troughs under the trolley wires extending over said railroad crossings, in conformity with plans to be submitted to and approved by this Commission therefor.

Ordered: 3. That the order of this Commission dated February 18, 1908, hereinabove noted, be and it is hereby abrogated.

Ordered: 4. That this order shall take effect forthwith upon its being served on said company, and shall continue in force until modified or abrogated.

[See two preceding cases; Case No. 228, July 10, 1908, page 200; Case No. 228, July 30, 1908, page 202; Case No. 228, November 10, 1908, page 204.]

[Case No. 331]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 18th
day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for permission to discontinue the operation of passenger trains on the Rome, Watertown and Ogdensburg railroad (lessor) between Rochester and Windsor Beach, and under section 34 of the Railroad Law for consent to the discontinuance of the Rome, Watertown and Ogdensburg railroad State Street passenger station in Rochester.

The New York Central and Hudson River Railroad Company having on May 7, 1908, filed with this Commission its petition for consent to the discontinuance of operation of passenger trains on the Rome, Watertown and Ogdensburg railroad (leased to and operated by said petitioner) between Rochester and Windsor Beach, it being proposed that the passenger trains be operated between Rochester and Windsor Beach on the Charlotte branch of the New York Central and Hudson River railroad; and under section 34 of

the Railroad Law for consent to the discontinuance of the Rome, Watertown and Ogdensburg railroad State Street passenger station in Rochester because of said proposed discontinuance of passenger trains; and a hearing on said petition having been held in the city of Rochester, June 5, 1908, *D. H. Beach* and *E. H. Boles* appearing for the petitioner, *Herbert Leary* appearing for the town of Irondequoit in opposition, and *J. P. B. Duffy* appearing for the Business Men's Association of Rochester in opposition; and this petitioner having stipulated that in the event of the granting of this petition it would comply with the conditions hereinafter named; now, upon the aforesaid petition and accompanying papers and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That this petition be and it is hereby granted, and this Commission hereby consents to the discontinuance of operation of passenger trains on the Rome, Watertown and Ogdensburg railroad (leased to and operated by The New York Central and Hudson River Railroad Company) between Rochester and Windsor Beach on the following conditions, which are made a part of this order: (a) That at each highway grade crossing of said Rome, Watertown and Ogdensburg railroad between Rochester and Windsor Beach, a flagman shall be maintained on week days between the hours of 7 a. m. and 10 p. m.; (b) that from and after the taking effect of this order this petitioner shall operate, in both directions, during the summer months, on its Charlotte branch to and between Rochester and Windsor Beach as many passenger trains as on this date are being operated, in both directions, on the Rome, Watertown and Ogdensburg railroad to and between Rochester and Windsor Beach, one of which trains shall leave Rochester daily on week days during the summer months at or about 4 p. m., and be operated as far east as Wolcott; and that during the winter months the number of passenger trains operated in both directions on said Charlotte branch shall not be less than the number which have been customarily operated, in both directions, during the winter months in the past on said Charlotte branch, and on the Rome, Watertown and Ogdensburg railroad between Rochester and Windsor Beach; (c) that this petitioner shall not charge a greater rate of passenger fare to and from the Central Avenue station and the Center Park station on its said Charlotte branch than the rate of passenger fare charged on this date on the said Rome, Watertown and Ogdensburg railroad between Windsor Beach and its State Street passenger station in Rochester; (d) that this petitioner shall establish, maintain, and operate a parcel check room at its Center Park station on said Charlotte branch, and that all trains on said Charlotte branch shall stop at said Center Park station; (e) that the schedule time for passenger trains on the Rome, Watertown and Ogdensburg railroad from any point on said railroad east of Windsor Beach to Rochester shall not be greater than ten minutes more than the scheduled time of similarly operated passenger trains on said Rome, Watertown and Ogdensburg railroad on this date.

Ordered: 2. That under section 34 of the Railroad Law this Commission hereby consents to the discontinuance of the passenger stations on the Rome, Watertown and Ogdensburg railroad in Rochester and between Rochester and Windsor Beach, at State street, Brinker place, Clifford street, and Rifle Range, on condition that appropriate notice of the proposed discontinuance of said stations shall be published prior thereto by this petitioner once a week for three successive weeks in a newspaper most likely to reach persons interested, said newspaper to be determined by this petitioner; and by the posting prior thereto by this petitioner, in conspicuous places at said stations, of a similar notice for a period of three successive weeks.

Ordered: 3. That this order shall take effect upon the service of a certified copy thereof upon this petitioner, and shall continue in force until modified or abrogated by this Commission.

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[Case No. 343]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,

Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY (lessee West Shore railroad), joined in by the WEST SHORE RAILROAD COMPANY, under section 34 of the Railroad Law, for consent to the discontinuance of the West Shore railroad passenger station in the city of Syracuse.

The New York Central and Hudson River Railroad Company (lessee West Shore railroad) on May 20, 1908, filed with this Commission its petition, under section 34 of the Railroad Law, for consent to the discontinuance of the passenger station of the West Shore railroad in the city of Syracuse. A hearing on said petition, after public notice, was held in the city of Syracuse by Commissioner Osborne of this Commission on July 1, 1908; E. H. Boles and A. H. Cowie appeared for the petitioner; Daniel Gray appeared for the Northside Business Men; E. L. Weston appeared in person. After hearing arguments the hearing was closed. Subsequently there was filed with this Commission a petition by the West Shore Railroad Company, joining in the said petition of the New York Central company.

It appears from the petitions and evidence at the hearing that on January 18, 1908, the New York Central company discontinued the use of the West Shore station for West Shore passenger trains, which trains now arrive and depart from the New York Central main station in Syracuse; that this results in better accommodations to the public; that certain passenger trains on the Rome, Watertown and Ogdensburg division of the New York Central railroad continue to stop at the West Shore station. Upon the aforesaid petition and evidence at the hearing, and after due deliberation, it is

Ordered: That these petitions of The New York Central and Hudson River Railroad Company and the West Shore Railroad Company be and they are hereby granted, and this Commission hereby consents to the discontinuance of the passenger station of the West Shore railroad (leased to and operated by The New York Central and Hudson River Railroad Company) in the city of Syracuse.

[Case No. 228]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,

Commissioners.

In the matter of the Discontinuance of Operation of the High Street Line of the Black River Traction Company in the city of Watertown.

On the 27th day of February, 1908, the Commission entered an order in this proceeding containing the following provision:

"That the said Black River Traction Company be required forthwith to operate its cars upon that portion of its said road extending from State street along High street to Factory Square, but that it be not required to operate its cars on that portion of its road extending northerly from Factory Square to the terminus of said branch until the following conditions are complied with: The city of Watertown shall cause the iron bridge across Black river to be examined by a competent engineer, and the report of said engineer shall be submitted to this Commission. Whenever any such report shall show that the said bridge is in a safe condition to operate the cars of said Traction Company upon and across the same, this Commission will then take further action. The said company will not be required to operate its cars north of the said bridge until the city of Watertown shall have granted to it the right to place its track in the center of the street across the island in Black river. Whenever such right shall have been granted it, the company shall forthwith change its track to the center of the street, and in case the precise location thereof can not be agreed upon by the company and the city engineer of said city of Watertown, this Commission will determine the location upon proper application made. Until the report of the engineer upon the condition of the bridge, and until the change of track to the center of the street, as herein required, the Black River Traction Company shall not be required to operate its cars north of Factory Square along said route."

It appearing to the Commission that the city of Watertown has caused the bridge across Black river to be examined by bridge engineers, and the reports of Henry E. Baker, city engineer of Watertown, and Charles E. Buckholz, civil engineer, acting for the city of Watertown, as to the condition of the bridge in question having been filed; and it appearing that the said bridge, known as the "Factory Street bridge," has been put in proper and safe condition for use by the Black River Traction Company, and a copy of a resolution of the common council of the city of Watertown having been filed, which reads as follows:

"Now therefore it is resolved, that it is the sense of the common council of the city of Watertown that the suggestions of the Public Service Commission in regard to putting the Factory Street bridge in good and proper repair have been fully complied with by the city of Watertown, and that the said Factory Street bridge has been put in proper and safe condition for use by the Black River Traction Company for any traffic which they may desire to carry on over the said bridge."

That the common council of the city of Watertown has also granted to the Black River Traction Company the right to place its street car tracks in the center of Pearl street upon the island known as "Sewall's Island"; that a communication filed by the corporation counsel of the city of Watertown shows that the owners of abutting property have no objection to the laying of the said tracks in the center of Pearl street on Sewall's Island aforesaid, and that the city has obtained the consents of said owners; and that the conditions set forth in said order of February 27, 1908, have been fully complied with;

It is Ordered: That the Black River Traction Company be and is hereby required to change the location of its track or tracks in Pearl street on Sewall's Island within the city of Watertown from the side of said street to the center thereof, such change of location to be completed on or before the 1st day of August, 1908, and that immediately upon the change of track location on or before the 1st day of August, 1908, the company shall resume the operation of its line in passenger service northerly from Factory Square to the terminus of that portion of its railroad.

It is further Ordered: That this order shall continue in force until modified, superseded, or abrogated by the further order of this Commission.

[See Case No. 224, February 27, 1908, page 197; Case No. 228, February 18, 1908, page 196; Case No. 228, February 27, 1908, page 197; case next following; Case No. 228, November 10, 1908, page 204.]

202 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 228]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Discontinuance of Operation of
the High Street Line of the Black River Traction
Company in the city of Watertown.

Modified
Order.

After due deliberation, it is

Ordered: That the order of this Commission dated July 16, 1908, in the above entitled matter be and it is hereby modified so as to read as follows:

It is Ordered: That the Black River Traction Company be and is hereby required to change the location of its track or tracks in Pearl street on Sewall's Island within the city of Watertown from the side of said street to the center thereof, such change of location to be completed on or before September 1, 1908, and that immediately upon the change of track location on or before the 1st day of September, 1908, the company shall resume the operation of its line in passenger service northerly from Factory Square to the terminus of that portion of its railroad.

It is further Ordered: That this order shall continue in force until modified, superseded, or abrogated by the further order of this Commission.

The reason for this modification being that the special work necessary for the crossing in Factory Square can not be obtained and installed by the company prior to September 1, 1908, as shown by a letter dated July 14, 1908, to the company, from William Wharton, jr., & Company of Philadelphia, Pa.

[See Case No. 224, February 27, 1908, page 197; Case No. 228, February 18, 1908, page 196; Case No. 228, February 27, 1908, page 197; case preceding; Case No. 228, November 10, 1908, page 204.]

[Case No. 392]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition, under section 103 of the Railroad Law, of the WALLKILL TRANSIT COMPANY, for approval of a declaration of abandonment of a portion of the petitioner's railroad in the city of Middletown.

The Wallkill Transit Company having on July 8, 1908, filed with this Commission its petition under section 103 of the Railroad Law for approval of a declaration of abandonment of a portion of the petitioner's railroad on Academy avenue, between Benton avenue and Genung street, in the city of Middletown; and a hearing, after due notice, having been held on said petition by Commissioner Sague of this Commission, in the city of Middletown on July 24, 1908, Taylor, Royce & Royce appearing for the petitioner, Russell Wiggins, corporation counsel, appearing for the city of Middletown

in opposition, and *Thomas Watts* appearing for property owners; now, upon the aforesaid petition and accompanying papers and the evidence at the hearing, and after due deliberation, it is

Ordered: That said petition be and it is hereby denied.

[Case No. 469]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,

Commissioners.

In the matter of the Petition of THE DELAWARE AND HUDSON COMPANY under section 34 of the Railroad Law for consent to the discontinuance of its Livingston Avenue passenger station in the city of Albany.

The Delaware and Hudson Company having on September 15, 1908, filed with this Commission its petition under section 34 of the Railroad Law for consent to the discontinuance of its Livingston Avenue passenger station in the city of Albany; and public hearings on said petition after due notice having been held by this Commission in the city of Albany on September 29th and October 13th, *L. E. Carr* appearing for the petitioner and *W. V. Cooke* appearing in opposition; now, upon the aforesaid petition and evidence at the hearings, and after due deliberation, it is

Ordered: 1. That this petition be and it is hereby denied.

Ordered: 2. That this Commission hereby consents that said company may discontinue the services of a ticket seller at said Livingston Avenue station, on condition that passengers entering the cars of the company at said station and paying cash fares shall be charged and required to pay only the same as they would have been required to pay for a ticket at said station for the same ride; and upon condition that said company keep said station building open, warmed, lighted, and cleaned the same as heretofore.

In the opinion of this Commission the evidence submitted to it in this matter shows that it is unnecessary for the company to stop at said station the following northbound belt-line trains: No. 611, due 11 a. m.; No. 613, due 12 m.; No. 625, due 4 p. m.; No. 637, due 10 p. m.; No. 639, due 11 p. m.; and the following southbound belt-line trains; No. 602, due 7:01 a. m.; No. 608, due 9 a. m.; No. 642, due 10 p. m.; No. 646, due 11 p. m. If any of said stops shall be discontinued, conspicuous notice thereof must be posted at said station for at least one week prior to such discontinuance, and in the event of any substantial public demand for their restoration they should be promptly restored.

204 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 228]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMPSTED,
Commissioners.

In the matter of the Discontinuance of Operation of the High Street Line of the Black River Traction Company in the city of Watertown.

Upon the application and statement of A. H. Lefebvre, secretary and treasurer of the respondent, filed October 9, 1908, it is

Ordered: That the time for compliance by the respondent, the Black River Traction Company, with the second provision of the order of this Commission dated February 27, 1908, in the above entitled matter, to wit:

"*Ordered:* 2. That the said Black River Traction Company be and it is hereby directed to place derallers at all steam railroad crossings upon that part of its road extending along High street, and also suitable troughs under the trolley wires extending over said railroad crossings, in conformity with plans to be submitted to and approved by this Commission therefor";

Be and is hereby further extended, and that said respondent have until December 15, 1908, to comply with said provision of said order.

[See Case No. 224, February 27, 1908, page 197; Case No. 228, February 18, 1908, page 198; Case No. 228, February 27, 1908, page 197; Case No. 228, July 16, 1908, page 200; Case No. 228, July 30, 1908, page 202.]

[Case No. 538]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMPSTED,
Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY under section 34 of the Railroad Law for consent to the discontinuance of freight station on the West Shore Railroad, its lessee, at Pittsford, Monroe county.

The New York Central and Hudson River Railroad Company having on October 24, 1908, filed with this Commission a petition under section 34 of the Railroad Law for consent to the discontinuance of the freight station on the West Shore railroad, its lessee, at Pittsford, Monroe county; and a public hearing on said petition, after due notice, having been held by this Commission in the city of Rochester on November 5, 1908, Daniel M. Beach appearing for the petitioner, and no one appearing in opposition; and the petitioner having stipulated upon the hearing that it will, in case a substantial demand arises for the reopening of said freight station, reopen the same without formal proceedings upon the part of this Commission; now, upon the aforesaid petition, evidence at the hearing, and said stipulation, and after due deliberation, it is

Ordered: 1. That under section 34 of the Railroad Law this Commission hereby consents to the discontinuance of the freight station on the West Shore railroad (leased to and operated by The New York Central and Hudson River Railroad Company) at Pittsford, Monroe county.

Ordered: 2. That this order shall take effect November 14, 1908, and shall continue in force until modified or abrogated by this Commission.

[Case No. 457]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the RUTLAND RAILROAD COMPANY under section 34 of the Railroad Law for consent to the discontinuance of the services of an agent at its Forest station.

The Rutland Railroad Company having on September 2, 1908, filed with this Commission its petition under section 34 of the Railroad Law for consent to the discontinuance of the services of an agent at the Forest station on said company's railroad in the town of Altona, Clinton county; and a public hearing on said petition, after due notice, having been held by Commissioner Decker of this Commission in the village of Malone on October 2nd, *Cantwell & Cantwell* appearing for the petitioner, and *Main & Cooney* appearing for residents in opposition; now, upon the evidence at the hearing, and after reading and filing briefs of counsel, and after due deliberation, it is

Ordered: That this petition be and it is hereby dismissed.

[Case No. 550]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 25th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBOURNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of J. WARREN POND of Mountain View, Franklin county, N. Y., *against* ST. LAWRENCE AND ADIRONDACK RAILWAY, operated by The New York Central and Hudson River Railroad Company, as to the discontinuance during the winter months of the services of an agent at the Mountain View station.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, the company having notified the Commission that it will not discontinue this station during the winter months.

206 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 610]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the GLENFIELD AND WESTERN RAILROAD COMPANY under section 55 of the Railroad Law for permission to cease the operation of its railroad from January 10, 1909, to April 30, 1909, both inclusive.

The Glenfield and Western Railroad Company having on December 1, 1908, filed with this Commission its petition under section 55 of the Railroad Law for permission to cease the operation of its railroad from January 10, 1909, to April 30, 1909, both inclusive; and it appearing that the facts are such that such permission should be given, it is

Ordered: 1. That under section 55 of the Railroad Law permission be and it is hereby given to Glenfield and Western Railroad Company to cease operation of its railroad from January 10, 1909, to April 30, 1909, both inclusive; such operation to be resumed May 1, 1909.

Ordered: 2. That a certified copy of this order shall be posted in all the depots and at the termini of such railroad, and published in every newspaper (if any) in each town in any part of which such road is constructed at least four weeks prior to the date of such suspension of operation.

[Case No. 497]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY under section 34 of the Railroad Law for consent to the discontinuance of the freight station on the Rome, Watertown and Ogdensburg railroad, its lessor, at Windsor Beach, Monroe county.

A petition under section 34 of the Railroad Law having on October 2, 1908, been filed with this Commission by The New York Central and Hudson River Railroad Company, asking consent to the discontinuance of the freight station at Windsor Beach on the Rome, Watertown and Ogdensburg railroad, leased to and operated by The New York Central and Hudson River Railroad Company; and a hearing on said petition, after due notice, having been held by this Commission in the city of Rochester on November 5, 1908; and it appearing that there is no freight station building at the point in question, and that the object of this application is to enable the discontinuance of

freight rates to Windsor Beach station as such; now, upon the aforesaid petition and evidence at the hearing, and after due deliberation, it is

Ordered: That this petition be and it is hereby granted, and this Commission hereby consents, under section 34 of the Railroad Law, to the discontinuance of the freight station at Windsor Beach, Monroe county, on the Rome, Watertown and Ogdensburg railroad, leased to and operated by The New York Central and Hudson River Railroad Company.

[Case No. 380]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the matter of the Petition of the NORTHERN CENTRAL RAILWAY COMPANY, under section 34 of the Railroad Law, for consent to the discontinuance of the Ennerdale station on the railroad operated by said company in the town of Hopewell, Ontario county.

A petition under section 34 of the Railroad Law having been filed with this Commission on June 25, 1908, by the Northern Central Railway Company, for consent to the discontinuance of the Ennerdale station on the railroad operated by said petitioner in the town of Hopewell, Ontario county; and a hearing on said petition, after due notice, having been held by Commissioner Olmsted of this Commission in the village of Canandaigua on August 7, 1908, *Diven & Diven* appearing for the petitioner, and *Knapp & France* appearing for residents in the vicinity of the station, in opposition; and said petitioner having filed with this Commission a stipulation to the effect that it will reestablish and reopen said station upon direction of this Commission if the Commission shall hereafter be satisfied that there is a reasonable public need for such reopening; now, upon the aforesaid petition, the evidence at the hearing, and said stipulation, and after due deliberation, it is

Ordered: That said petition be and it is hereby granted, and this Commission hereby consents, under section 34 of the Railroad Law, to the discontinuance of the Ennerdale station on the railroad operated by the Northern Central Railway Company in the town of Hopewell, Ontario county.



APPENDIX E.

**IN THE MATTER OF MARKING LESS THAN CARLOAD SHIPMENTS
OF FREIGHT.**

APPENDIX E.

[Case No. 397]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 10th
day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
Commissioners.

In the matter of Marking Less than Carload Shipments
of Freight.

Whereas, The New York Central and Hudson River Railroad Company, Erie Railroad Company; The Delaware, Lackawanna and Western Railroad Company, The Delaware and Hudson Company; New York, Ontario and Western Railway Company, Lehigh Valley Railroad Company, Pennsylvania Railroad Company, Buffalo and Susquehanna Railroad Company; Buffalo, Rochester and Pittsburgh Railway Company, and the Boston and Maine Railroad, with other common carriers operating within this State, have adopted, and put into effect on July 1, 1908, Rule 3, as shown in Supplement No. 1 to the current Official Classification, which reads as follows:

Rule 3. Each package, bundle, or piece of less than carload freight must be plainly marked by brush, stencil, pasted label or securely fastened tag, showing the name of consignee, and the name of the station, town, or city, and the State to which destined. (See note.)

The marks on packages, bundles, or pieces must be compared with the shipping order and bill of lading, and corrections, if necessary, made by the consignor or his representative before receipt is signed; old marks must be removed or effaced before packages, bundles, or pieces will be accepted for transportation.

Freight consigned to a place of which there are two or more of the same name in the same State, must have the name of the county marked on each package, bundle, or piece, and also shown on the shipping receipt.

When freight is consigned to a place not located on the line of a railroad, each package, bundle, or piece must be marked with the name of the station at which the consignee will accept delivery, or if routed in connection with a water line with which there are no joint rates in effect, the name of the place at which delivery is to be made to such water line must be marked on each package, bundle, or piece.

Freight not marked in accordance with the foregoing rules will not be accepted for transportation.

Note: Pasted labels or securely fastened tags should be used only when the character of the freight prevents marking by brush or stencil.

And Whereas, Complaints have been submitted to this Commission alleging that under the provisions and requirements of said rule, shippers are subjected to great hardship, expense, and injustice in the shipment of commodities, such expense often amounting to more than the profit upon the article shipped, and that unjust, unreasonable, and unnecessary delays are thereby caused to both shippers and carriers, and that in some instances compliance with such rule is impracticable;

And Whereas, It appears to the Commission that an inquiry and investigation into and concerning the legality of such rule and regulation and of practices of carriers thereunder should be forthwith instituted, and that the said carriers should be made the respondents in such inquiry and investigation;

It is Ordered: That a proceeding be and is hereby instituted for the purpose of inquiry and investigation into and concerning the legality of the said

rule or regulation known as Rule 3 as set forth in Supplement No. 1 to the current Official Classification, which said rule or regulation has been established and enforced since July 1, 1908, in respect of less than carload freight by The New York Central and Hudson River Railroad Company, Erie Railroad Company; The Delaware, Lackawanna and Western Railroad Company, The Delaware and Hudson Company; New York, Ontario and Western Railway Company, Lehigh Valley Railroad Company, Pennsylvania Railroad Company, Buffalo and Susquehanna Railroad Company; Buffalo, Rochester and Pittsburgh Railway Company, and the Boston and Maine Railroad.

It is further Ordered: That each of said carriers file answer herein on or before the 16th day of July, 1908, and that each of said carriers be and is hereby notified and required to appear before the Commission at its office in Albany on said 16th day of July, 1908, at 2 o'clock p. m., then and there prepared by suitable representatives to make full and complete disclosure concerning the establishment of said rule or regulation and its operation and practices thereunder.

And it is further Ordered: That all shippers or other persons affected by the operation of said rule shall have leave to appear and present testimony and be heard in person or by counsel in this proceeding at the time and place above specified.

[Case No. 397]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLTMSTED,
Commissioners.

Resolved, In the matter of marking less than carload shipments of freight, after due hearing and considering the evidence and statements of complaining shippers and the respondent railroad companies, that the following rule or regulation should in the judgment of the Commission be adopted and put in force by the respondent railroad companies in the place and stead of Rule 3 of the Official Classification, as applying to traffic transported within this State:

Rule 3 : Each package, bundle, or piece of less than carload freight when tendered for transportation by shipper must be plainly marked by brush, stencil, marking crayon, marking pencil, rubber stamp, pasted label or tag securely fastened or attached, or other legible method of marking, showing the name of the consignee, the name of the station, town, or city, and the name or abbreviation of the State to which destined, with the following exceptions:

(a) Upon less than carload shipments of the following named articles only one marking will be required: Tile: drain, fire, locomotive, and roofing, loose; roofing slate, loose; lumber: plain or rough, loose; brick: building, fire, paving, hollow, or chimney, loose; fireproofing, clay, loose; flue lining, loose; terra cotta, loose; blocks: building, cement, or concrete, loose; conduits: clay or terra cotta, loose; sewer pipe: cement or clay, loose; ice; culvert castings; grapes, in lots of 10,000 pounds or over, loaded to car directly by shipper, from one consignor to one consignee and destination.

(b) Flour or food in sacks bearing brand, if any, and name and address of shipper printed, stamped, stenciled, or written: at least one sack shall be marked in accordance with the foregoing rule, showing the number of sacks shipped; and when the number of sacks shipped exceeds twenty, at least one such marking for every twenty sacks or fraction thereof in addition thereto. Cement, lime, or plaster in sacks: at least one sack shall be marked in accordance with the foregoing rule, showing the number of sacks shipped; and when the number of sacks shipped exceeds twenty, at least one such marking for every twenty sacks or fraction thereof in addition thereto.

(c) When articles other than those above specified are not boxed, barreled, crated, or sacked, and are shipped loose in bulk or pieces, or when pieces are

wired or otherwise fastened together in lots or bundles, at least one piece, lot, or bundle in every ten or fraction thereof shall be marked in accordance with the foregoing rule. If shipments described in this exception are shipped in lots of 10,000 pounds or over, or occupying one-half the cubic capacity of the car, and are loaded to car direct by shipper and shipped from one consignor to one consignee and destination, but one marking in accordance with the foregoing rule will be required.

(d) Articles which are not classified or rated in carloads and are subject to less than carload rates, in any quantity, and which are shipped loose or in pieces or packages from one consignor to one consignee and destination, and are loaded by shipper in cars to 30,000 pounds or the car capacity, will be accepted without marking.

The marks on packages, bundles, or pieces which are required to be marked must be compared with the shipping order and bill of lading, and corrections, if necessary, made by the consignor or his representative before receipt is signed. Old consignment marks must be canceled, removed, or effaced before packages, bundles, or pieces will be accepted for transportation.

Freight consigned to a place of the same name as another place in the same State must have the name of the county marked on each package, bundle, or piece required to be marked by the foregoing rule or exceptions thereto, and the name of the county must also be shown on the shipping receipt.

When freight is consigned to a place not located on the line of a railroad, each package, bundle, or piece required to be marked by the foregoing rule or exceptions thereto must be marked with the name of the station at which the consignee will accept delivery, or if routed in connection with a water line on which there are no joint rates in effect, the name of the place at which delivery is to be made to such water line must be marked on each package, bundle, or piece required to be marked by this rule.

Freight not marked in accordance with the foregoing rule or according to exceptions thereto specifying marking will not be accepted for transportation.

Resolved, further, that the respondent railroad companies should have opportunity to consider the foregoing stated rule and to propose additions thereto or modifications thereof as to language or minor provisions and which do not affect the scope or purpose of such rule, and that said respondent railroad companies have leave to propose such additions or modifications in writing on or before Wednesday, the 12th day of August, 1908.

Resolved, further, that a copy of this resolution be forthwith sent to each of the respondent railroad companies.

[Case No. 397]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBOURNE,
MARTIN S. DECKER,
Commissioners.

In the matter of Marking Less than Carload Shipments
of Freight.

This proceeding having been instituted by order of this Commission entered on the 10th day of July, 1908, and copies thereof having been duly served upon The New York Central and Hudson River Railroad Company, Erie Railroad Company; The Delaware, Lackawanna and Western Railroad Company, The Delaware and Hudson Company; New York, Ontario and Western Railway Company, Lehigh Valley Railroad Company, Pennsylvania Railroad Company, Buffalo and Susquehanna Railway Company; Buffalo, Rochester and Pittsburgh Railway Company, and Boston and Maine Railroad, as respondents herein; and it appearing to the Commission, after due hearing and investigation, that Rule 3 of the Official Classification as applied to shipments of freight over the lines of said respondents within this State constitutes an unjust and unreasonable regulation or practice; and the Commission having determined the just and reasonable regulation or practice which should be substituted therefor,

It is Ordered: That the respondents, The New York Central and Hudson River Railroad Company, Erie Railroad Company; The Delaware, Lackawanna and Western Railroad Company, The Delaware and Hudson Company; New York, Ontario and Western Railway Company, Lehigh Valley Railroad Company, Pennsylvania Railroad Company, Buffalo and Susquehanna Railway Company; Buffalo, Rochester and Pittsburgh Railway Company, and Boston and Maine Railroad, be and they severally are hereby required to substitute for their present established regulation or practice known as Rule 3 of the Official Classification as the same applies to shipments of freight over their several lines within this State the following regulation or practice:

Rule 3: Each package, bundle, or piece of less than carload freight when tendered for transportation by shipper must be plainly marked by brush, stencil, marking crayon, marking pencil, rubber stamp, pasted label or tag securely fastened or attached, or other legible method of marking, showing the name of the consignee, the name of the station, town, or city, and the name or abbreviation of the State to which destined, with the following exceptions:

(a) When articles are not boxed, barreled, crated, or sacked, and are shipped loose in pieces, or when pieces are wired or otherwise fastened together in lots or bundles, and the shipment consists of not more than ten pieces, lots, or bundles, at least two pieces, lots, or bundles in each shipment shall be marked in accordance with this rule; and when the shipment consists of more than ten pieces, lots, or bundles, one for every ten or additional part thereof shall be so marked, but not more than ten such markings shall be required for any shipment from one consignor to one consignee and destination. Each marking under this exception must show the total number of pieces, lots, or bundles in the entire consignment.

(b) Flour, feed, cement, lime, or plaster, in sacks, bearing upon the package or shipping tag the name and address of shipper, printed, stamped, stenciled, or plainly written, when the shipment consists of not more than ten sacks, at least two sacks in each shipment shall be marked in accordance with this rule; and when the shipment consists of more than ten sacks, one for every ten or additional part thereof shall be so marked, but not more than ten such markings shall be required for any shipment from one consignor to one consignee and destination. Each marking under this exception must show the total number of sacks in the entire consignment.

(c) Grapes, when shipped in lots of 10,000 pounds or more by one consignor to one consignee and destination, will be accepted without marking of packages.

(d) Articles which are not classified or rated in carloads and are subject to less than carload rates for shipment in any quantity, and which are shipped loose in pieces or in packages from one consignor to one consignee and destination, and are loaded by shippers in cars to 30,000 pounds or the cubic capacity of the car, will be accepted without marking.

The marks on packages, bundles, or pieces which are required to be marked must be compared with the shipping order and bill of lading, and corrections, if necessary, made by the consignor or his representative before receipt is signed. Old consignment marks must be canceled, removed, or effaced before packages, bundles, or pieces will be accepted for transportation.

Freight consigned to a place of the same name as another place in the same State must have the name of the county marked on each package, bundle, or piece required to be marked by the foregoing rule or exceptions thereto, and the name of the county must also be shown on the shipping receipt.

When freight is consigned to a place not located on the line of a railroad each package, bundle, or piece required to be marked by the foregoing rule or exceptions thereto must be marked with the name of the station at which the consignee will accept delivery; or if routed in connection with a water line on which there are no joint rates in effect, the name of the place at which delivery is to be made to such water line must be marked on each package, bundle, or piece required to be marked by this rule.

Freight not marked in accordance with the foregoing rule or according to exceptions thereto specifying marking will not be accepted for transportation.

It is further Ordered: That this order shall take effect on the 25th day of August, 1908, and remain in force until abrogated, superseded, changed, or modified by further order of this Commission, and that said respondents or either of them shall have leave to apply to this Commission for such further order at any time.

It is further Ordered: That the respondents or either of them may at any time, without previous application to this Commission, subject to regulation under the Public Service Commissions Law, add exceptions or other provisions to the foregoing rule not in conflict with any of the exceptions or other provisions therein set forth.

APPENDIX E: ORDERS

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[Case No. 397]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of Marking Less than Carload Ship-
ments of Freight.

After due deliberation, it is

Ordered: That a copy of the order entered herein on the 19th day of August, 1908, be served upon each and every railroad corporation and street railroad corporation engaged in the carriage of freight articles within this State, except the respondents herein, all of whom have complied with said order; and that each of said corporations shall on or before the 10th day of September, 1908, file with this Commission a statement in writing showing that it has adopted and is conforming to the provisions of said order, or appear before the Commission at its office in the Capitol, Albany, at 2 o'clock p. m. on said 10th day of September, 1908, and then and there show cause why it should not be required to comply with the provisions of said order.

[Case No. 397]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 17th
day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of Marking Less than Carload Ship-
ments of Freight.

The Commission having on the 19th day of August, 1908, entered its order herein directed to the respondents, The New York Central and Hudson River Railroad Company, Erie Railroad Company; The Delaware, Lackawanna and Western Railroad Company, The Delaware and Hudson Company; New York, Ontario and Western Railway Company, Lehigh Valley Railroad Company, Pennsylvania Railroad Company, Buffalo and Susquehanna Railway Company; Buffalo, Rochester and Pittsburgh Railway Company, and Boston and Maine Railroad, wherein and whereby the Commission found and declared that Rule 3 of the Official Classification as applied to shipments of freight over the lines of said respondents within this State constituted an unjust and unreasonable regulation or practice, and ordered a just and reasonable regulation or practice to be substituted therefor, which said new regulation or practice is described in the said order; and the Commission having on the 1st day of September, 1908, entered a further order herein directing that a copy of said order of the 19th day of August, 1908, be served upon each and every railroad corporation and street railroad corporation engaged in the carriage of freight articles within this State, except said above named respondents all of whom have complied with the said order, requiring each of said corporations to file with this Commission on or before the 10th day of September, 1908, a statement in writing showing it has adopted and is con-

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forming to the provisions of said order, or appear before the Commission at its office in the Capitol, Albany, at 2 o'clock p. m. on said 10th day of September, 1908, and then and there show cause why it should not be required to comply with the provisions of said order; and hearing herein having been duly held at the time and place aforesaid, at which hearing only The Long Island Railroad Company appeared and presented argument against compliance with said order of the 19th day of August, 1908; and it appearing to the Commission from statements in writing so filed by railroad corporations and street railroad corporations on or before the 10th day of September, 1908, that the following carriers in addition to said above named respondents have adopted and are conforming to the provisions of said order:

Bath and Hammondsport Railroad Company,
Buffalo, Attica and Arcade Railroad Company,
Central New England Railway Company,
Delaware and Eastern Railroad Company,
The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company,
Fonda, Johnstown and Gloversville Railroad Company,
Genesee and Wyoming Railroad Company,
The Grand Trunk Railway Company of Canada,
Greenwich and Johnsonville Railway Company.

International Railway Company,
The Lake Shore and Michigan Southern Railway Company,
The Lehigh and Hudson River Railway Company,
Little Falls and Dolgeville Railroad Company,
New Jersey and New York Railroad Company,
The New York, Chicago and St. Louis Railroad Company,
The New York, New Haven and Hartford Railroad Company,
New York, Susquehanna and Western Railway Company,
Rutland Railroad Company;

And it further appearing to the Commission that the following other common carriers, railroad corporations, or street railroad corporations, using said Official Classification in the transportation of freight articles over their respective lines within this State have not adopted and are not conforming to the provisions of said order of the Commission of the 19th day of August, 1908, and that the provisions of said order should be extended to and made to apply to said corporations:

Albany and Hudson Railroad Company,
Auburn and Syracuse Electric Railroad Company,
Baltimore and Ohio Railroad Company,
Bennington and North Adams Street Railway Company,
Buffalo and Lake Erie Traction Company,
Catskill Mountain Railway Company,
Catskill and Tannersville Railway Company,
Cooperstown and Charlotte Valley Railroad Company,
Cranberry Lake Railroad Company,
Dansville and Mt. Morris Railroad Company,
Hudson Valley Railway Company,
Jamestown, Chautauqua and Lake Erie Railway Company,
Kanona and Prattsburgh Railway Company,
Keeseville, Ausable Chasm and Lake Champlain Railroad Company,
Lake Champlain and Moriah Railroad Company,
Lehigh and New England Railroad Company,
The Long Island Railroad Company,
The New York, Auburn and Lansing Railroad Company.

New York and Ottawa Railway Company,
New York and Pennsylvania Railway Company,
Norwood and St. Lawrence Railroad Company,
Oneonta and Mohawk Valley Railroad Company,
Otis Railway Company,
Paul Smith's Electric Light and Power and Railroad Company,
Penn Yan, Keuka Park and Branchport Railway,
The Pittsburg, Shawmut and Northern Railroad Company,
Schoharie Valley Railway Company,
Silver Lake Railway Company,
South Brooklyn Railway Company,
South Buffalo Railway Company,
Staten Island Rapid Transit Company,
Syracuse, Lake Shore and Northern Railroad Company,
The Ulster and Delaware Railroad Company,
Unadilla Valley Railroad Company,
United Traction Company,
Western New York and Pennsylvania Traction Company;

It is Ordered: That the Albany and Hudson Railroad Company, Auburn and Syracuse Electric Railroad Company, Baltimore and Ohio Railroad Company, Bennington and North Adams Street Railway Company, Buffalo and Lake Erie Traction Company, Catskill Mountain Railway Company, Catskill and Tannersville Railway Company, Cooperstown and Charlotte Valley Railroad Company, Cranberry Lake Railroad Company, Dansville and Mt. Morris Railroad Company, Hudson Valley Railway Company; Jame-

town, Chautauqua and Lake Erie Railway Company, Kanona and Prattsburgh Railway Company; Keeseville, Ausable Chasm and Lake Champlain Railroad Company, Lake Champlain and Moriah Railroad Company, Lehigh and New England Railroad Company, The Long Island Railroad Company; The New York, Auburn and Lansing Railroad Company, New York and Ottawa Railway Company, New York and Pennsylvania Railway Company, Norwood and St. Lawrence Railroad Company, Oneonta and Mohawk Valley Railroad Company, Otis Railway Company, Paul Smith's Electric Light and Power and Railroad Company; Penn Yan, Keuka Park and Branchport Railway, The Pittsburg, Shawmut and Northern Railroad Company, Schoharie Valley Railway Company, Silver Lake Railway Company, South Brooklyn Railway Company, South Buffalo Railway Company, Staten Island Rapid Transit Company; Syracuse, Lake Shore and Northern Railroad Company, The Ulster and Delaware Railroad Company, Unadilla Valley Railroad Company, United Traction Company, and Western New York and Pennsylvania Traction Company, be and they severally are hereby required to substitute for their present established regulation or practice known as Rule 3 of the Official Classification, as the same applies to shipments of freight over their several lines within this State, the following regulation or practice:

Rule 3: Each package, bundle, or piece of less than carload freight when tendered for transportation by shipper must be plainly marked by brush, stencil, marking crayon, marking pencil, rubber stamp, pasted label or tag securely fastened or attached, or other legible method of marking, showing the name of the consignee, the name of the station, town, or city, and the name or abbreviation of the State to which destined, with the following exceptions:

(a) When articles are not boxed, barreled, crated, or sacked, and are shipped loose in pieces, or when pieces are wired or otherwise fastened together in lots or bundles, and the shipment consists of not more than ten pieces, lots or bundles, at least two pieces, lots, or bundles in each shipment shall be marked in accordance with this rule; and when the shipment consists of more than ten pieces, lots, or bundles, one for every ten or additional part thereof shall be so marked, but not more than ten such markings shall be required for any shipment from one consignor to one consignee and destination. Each marking under this exception must show the total number of pieces, lots, or bundles in the entire consignment.

(b) Flour, feed, cement, lime, or plaster, in sacks, bearing upon the package or shipping tag the name and address of shipper, printed, stamped, stenciled or plainly written, when the shipment consists of not more than ten sacks, at least two sacks in each shipment shall be marked in accordance with this rule; and when the shipment consists of more than ten sacks, one for every ten or additional part thereof shall be so marked, but not more than ten such markings shall be required for any shipment from one consignor to one consignee and destination. Each marking under this exception must show the total number of sacks in the entire consignment.

(c) Grapes, when shipped in lots of 10,000 pounds or more by one consignor to one consignee and destination, will be accepted without marking of packages.

(d) Articles which are not classified or rated in carloads and are subject to less than carload rates for shipment in any quantity, and which are shipped loose in pieces or in packages from one consignor to one consignee and destination, and are loaded by shippers in cars to 30,000 pounds or the cubic capacity of the car, will be accepted without marking.

The marks on packages, bundles, or pieces which are required to be marked must be compared with the shipping order and bill of lading, and corrections, if necessary, made by the consignor or his representative before receipt is signed. Old consignment marks must be canceled, removed, or effaced before packages, bundles, or pieces will be accepted for transportation.

Freight consigned to a place of the same name as another place in the same State must have the name of the county marked on each package, bundle, or piece required to be marked by the foregoing rule or exceptions thereto, and the name of the county must also be shown on the shipping receipt.

When freight is consigned to a place not located on the line of a railroad, each package, bundle, or piece required to be marked by the foregoing rule or exceptions thereto, must be marked with the name of the station at which the consignee will accept delivery; or if routed in connection with a water line on which there are no joint rates in effect, the name of the place at which delivery is to be made to such water line must be marked on each package, bundle, or piece required to be marked by this rule.

Freight not marked in accordance with the foregoing rule or according to exceptions thereto specifying marking will not be accepted for transportation.

It is further Ordered: That the provisions of the order of the Commission entered herein on the 19th day of August, 1908, prescribing the aforesaid regulation or practice and requiring it to be substituted for said Rule 3 of the Official Classification, having been adopted and conformed to by the following named carriers, in addition to the original respondents herein: Bath

and Hammondsport Railroad Company; Buffalo, Attica and Arcade Railroad Company; Central New England Railway Company, Delaware and Eastern Railroad Company; The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company; Fonda, Johnstown and Gloversville Railroad Company; Genesee and Wyoming Railroad Company, The Grand Trunk Railway Company of Canada, Greenwich and Johnsonville Railway Company, International Railway Company, The Lake Shore and Michigan Southern Railway Company, The Lehigh and Hudson River Railway Company, Little Falls and Dolgeville Railroad Company, New Jersey and New York Railroad Company; The New York, Chicago and St. Louis Railroad Company; The New York, New Haven and Hartford Railroad Company; New York, Susquehanna and Western Railway Company, and Rutland Railroad Company; that said carriers and each of them shall continue to keep in force and apply the aforesaid regulation or practice as prescribed in said order and fully set forth herein.

It is further Ordered: That this order shall take effect on the 1st day of October, 1908, and remain in force until abrogated, superseded, changed, or modified by further order of this Commission, and that said carriers or either of them shall have leave to apply to this Commission for such further order at any time.

It is further Ordered: That said carriers or either of them may at any time, without previous application to this Commission, subject to regulation under the Public Service Commissions Law, add exceptions or other provisions to the foregoing rule not in conflict with any of the exceptions or other provisions therein set forth.

APPENDIX F.

**IN THE MATTER OF CROSSINGS OF RAILROADS AND PUBLIC
CROSSINGS OF HIGHWAYS AND RAILROADS.**

APPENDIX F.

[Case No. 141]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of January, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,

Commissioners.

In the matter of the Petition, under section 63 of the Railroad Law, of BUFFALO, LOCKPORT AND ROCHESTER RAILWAY COMPANY as to its railway crossing overhead the Niagara Falls branch of The New York Central and Hudson River Railroad Company in the town of Royalton, Niagara county.

The Buffalo, Lockport and Rochester Railway Company on the 3rd day of December, 1907, filed with this Commission its petition under section 63 of the Railroad Law for an order determining whether a crossing by its railway of the said New York Central and Hudson River railroad at a point in the town of Royalton, Niagara county, shall be above, below, or at the grade of the said New York Central and Hudson River railroad, the petition proposing that the petitioner's railway shall cross above the grade of the New York Central and Hudson River railroad. The petition is indorsed with the consent of The New York Central and Hudson River Railroad Company, and there is attached a copy of an agreement between the petitioner and The New York Central and Hudson River Railroad Company bearing date February 21, 1907, to the effect that the petitioner's railway shall cross the New York Central and Hudson River railroad at the point in question above the grade, and as to the proportion of expense of such crossing to be paid by each company.

It appears from the petition and accompanying papers that at the point in question the New York Central and Hudson River railroad is at grade, and for the purposes of this crossing a double-track bridge is to be constructed to carry the petitioner's railway over the said New York Central and Hudson River railroad, and that the entire cost of the work involved is to be borne by the petitioner; and that in case of future alterations to the grade or alignment of the New York Central railroad tracks, or the laying of additional tracks by The New York Central and Hudson River Railroad Company, the petitioner is to alter the said bridge to meet the requirements of such changes or additional tracks.

Upon filing proof of publication of notice of this hearing in the Lockport Union Sun, and in the Lockport Review, and in the Lockport Daily Journal, and notice thereof having been served by mail on William F. Cramer, highway commissioner of said town of Royalton, and upon the aforesaid petition and accompanying papers, counsel for said respective railroad companies appearing and consenting, and no one opposing, and after due deliberation, it is

Ordered: 1. That under section 68 of the Railroad Law the single- or double-track railway of the Buffalo, Lockport and Rochester Railway Company shall cross the present tracks of The New York Central and Hudson

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River Railroad Company at a point in the town of Royalton, Niagara county, described in the petition, above the grade of the New York Central and Hudson River railroad, and that the laying of additional tracks in the future by either company at the same grades, respectively, as the then existing tracks of either of said companies, to wit: the petitioner's additional tracks to be above the grade of the New York Central and Hudson River railroad, and additional tracks of the New York Central and Hudson River railroad to be at grade, shall be governed by the agreement aforesaid.

Ordered: 2. That the proportion of expense of such crossing to be paid by said respective railroad companies shall be as set forth in the agreement above referred to made the 21st day of February, 1907, between said companies, a copy of which is attached to the petition in this proceeding.

Ordered: 3. That this order shall take effect on January 13, 1908, and shall continue in force until modified or abrogated.

[Case No. 142]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of January, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application, under section 68 of the Railroad Law, of the BUFFALO, LOCKPORT AND ROCHESTER RAILWAY COMPANY as to its railway crossing the spur track of the New York Central and Hudson River railroad on State street or East State street in the village of Brockport, Monroe county, and as to the proportion of expense which shall be paid by each road.

The Buffalo, Lockport and Rochester Railway Company on the 3rd day of December, 1907, filed with this Commission its petition under section 68 of the Railroad Law for an order determining whether a crossing by its railway of a spur track of the New York Central and Hudson River railroad on State street or East State street in the village of Brockport, Monroe county, shall be above, below, or at the grade of such spur track.

The petition proposes that the petitioner's railway shall cross at the grade of such spur track. The petition is indorsed with the consent of The New York Central and Hudson River Railroad Company, and there is attached a copy of an agreement between the petitioner and said The New York Central and Hudson River Railroad Company to the effect that the petitioner's railway shall cross said spur track at the point in question at grade, and as to the proportion of expense of such crossing to be paid by each company. It appears from the petition and accompanying papers that at the point in question the single track of the petitioner's railway runs through said State street or East State street at the grade of said street, and that such spur track crosses said street at grade; that said spur track is used exclusively for freight purposes for the transportation of freight cars to manufactory which lie north of State street, and that the total number of freight cars passing across said State street each year upon said spur track is approximately five hundred and twenty, counting each car each way; that the petitioner has secured the proper statutory consent of the village authorities to the construction of said railroad, and a determination of the Appellate Division of the Supreme Court authorizing such construction pursuant to section 94 of the Railroad Law, and that the petitioner's road is to be operated by the overhead trolley system.

Upon filing proof of publication of notice of this hearing in the Brockport Democrat, and upon the aforesaid petition and accompanying papers, counsel for said respective railroad companies appearing and consenting, and no one opposing, and after due deliberation, it is

Ordered: 1. That under section 68 of the Railroad Law the single-track railway of the petitioner shall cross the above mentioned spur track of The New York Central and Hudson River Railroad Company on State street or East State street in said village of Brockport, at grade, and that the proportion of expense of such crossing to be paid by said respective railroad companies shall be as set forth in an agreement made the 21st of February, 1907, between said companies, a copy of which is attached to the petition in this matter.

Ordered: 2. That this order shall take effect on January 13, 1908, and shall continue in force until modified or abrogated.

[Case No. 113]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of January, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,

Commissioners.

In the matter of the Petition of the CENTRAL NEW ENGLAND RAILWAY COMPANY, under section 62 of the Railroad Law, as to the closing and discontinuance of a highway grade crossing of the petitioner's railway east of its St. Elmo station.

The Central New England Railway Company on October 28, 1907, filed with this Commission its petition, under section 62 of the Railroad Law, alleging that public safety required the closing and discontinuance of the highway grade crossing of the petitioner's railway located immediately east of the St. Elmo station on said railway in the town of Shawangunk, Ulster county, and the diversion of the travel from said grade crossing to another highway which crosses the railway at grade immediately west of said station, by the construction of a new piece of highway parallel to and south of the railway from said highway east of the station to the said highway west of the station.

Hearings were had in this matter before this Commission in the city of Albany on November 26 and December 19, 1907. William Greenough appeared for the petitioner; J. N. Vanderlyn appeared for the town of Shawangunk and for a property owner, in opposition.

It appears from the petition and evidence at the hearing that the crossing proposed to be closed is known as the King's Hill Road crossing, and that to which the travel is proposed to be diverted is known as the Plain Road crossing, and that these highways intersect a short distance north of the railroad; that if the prayer of this petitioner were granted, a person approaching the railroad from the south on the King's Hill Road would be compelled to travel a distance of from 625 to 875 feet farther than at present to reach the intersection of the two highways north of the railroad; that the view of the railway, approaching both crossings, is somewhat obstructed, there being but little to choose between them in this respect. Upon the aforesaid petition and accompanying papers, and after consideration of the evidence, this Commission does not believe that public safety would be enhanced by the closing of the King's Hill Road crossing and the diversion of the travel to the Plain Road crossing. It is, therefore,

Ordered: That the prayer of the petitioner be and it is hereby denied.

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[Case No. 107]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Erie and Jersey Railroad crossing a highway in the town of Cornwall, Orange county, the crossing being known as A-19.

On October 30, 1906, the former Board of Railroad Commissioners determined, under section 60 of the Railroad Law, that the Erie and Jersey railroad should cross, in the town of Cornwall, Orange county, a highway called A-19.

In March, 1907, a petition was received by said Board from the town board of the town of Cornwall, in relation to changing the determination as to this crossing. Said petition was not finally disposed of by said Board, and came before this Commission by operation of statute.

A hearing in the matter was held by this Commission at its office in the Capitol, Albany, on November 12, 1907. A. H. F. Seeger, attorney, and H. W. Chadeayne, supervisor of the town, appeared for the petitioner. George F. Brownell appeared for the Erie and Jersey Railroad Company.

There was subsequently filed with this Commission by the Erie and Jersey Railroad Company a stipulation to the following effect:

"Now, therefore, for that purpose and to that end it hereby stipulates that it will bear the entire expense of changing the highway on the east side of the new undercrossing to the location shown on Erie and Jersey map dated April 2, 1907, and as covered in a letter of F. L. Stuart, Chief Engineer, dated June 12, 1907."

Upon the above state of facts, and after due deliberation, it is

Ordered: That this petition is hereby dismissed.

[Case No. 39]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the RAYMONDVILLE AND WADDINGTON RAILROAD COMPANY, under section 60 of the Railroad Law, for an order determining the manner in which its single-track railroad shall cross streets and highways in the county of St. Lawrence.

The Raymondville and Waddington Railroad Company having on September 19, 1907, filed with this Commission its petition, under section 60 of the Railroad Law, asking for an order determining the manner in which its single-track railroad shall cross streets and highways in the towns of Norfolk, Louisville, Madrid, and Waddington, and in the village of Waddington, in the county of St. Lawrence; and a public hearing on said petition having

been held by this Commission in the Capitol, Albany, on January 3, 1908, and an inspection at the points of the proposed crossings having been made by the steam railroad inspector for this Commission; and it appearing from the evidence at the hearing that it would be impracticable for this petitioner's railroad to cross otherwise than at grade certain of the streets and highways in question; now, therefore, it is

Ordered: Under section 60 of the Railroad Law, that the manner in which the single-track railroad of the Raymondville and Waddington Railroad Company shall cross the following streets and highways in the county of St. Lawrence shall be as hereinafter stated, to wit:

Town of Norfolk: Crossing No. 1 at station 20 of the railroad survey: Over the grade of the highway from Raymondville to Norwood; the minimum clearance between the highway and the bridge carrying the railroad shall be twelve feet. Crossing No. 2, at station 46 of the railroad survey: At grade the highway, being a crossroad, leading from Raymondville to Madrid. Crossing No. 3, at station 123 of the railroad survey: Under the grade of the highway known as the Tiernan Ridge or Sand Ridge road; the minimum clearance between the bridge carrying the highway and top of rail of the railroad shall be twenty-one feet.

Town of Louisville: Crossing No. 4, at station 183 of the railroad survey: At grade the highway leading from Raymondville to Chase Mills.

Towns of Louisville and Madrid: Crossing No. 5, at station 266 of the railroad survey: At grade the highway known as the Town Line road, which runs southerly from Chase Mills.

Town of Madrid: Crossing No. 6, at station 295+50 of the railroad survey: At grade the highway leading from Chase Mills west, intersecting the main road from Norfolk to Waddington.

Town of Waddington: Crossing No. 7, at station 307 of the railroad survey: At grade the highway leading from Chase Mills to Madrid. Crossing No. 8, at station 391 of the railroad survey: At grade the highway leading from Irish Settlement westerly to highway leading from Chase Mills to Madrid, crossing No. 7. Crossing No. 9, at station 402+50 of the railroad survey: At grade the highway known as Irish Settlement road, leading from Chase Mills to Waddington. Crossing No. 10, at station 530 of the railroad survey: At grade the highway leading from the Norfolk-Waddington highway to the St. Lawrence river.

Village of Waddington: Crossing No. 11, station No. 612 of the railroad survey: At grade the street known as the River road or St. Lawrence avenue.

[Case No. 213]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY for the elimination of Buffalo Road crossing, Field Street crossing, and Kossuth Street crossing, in the town of Gates, Monroe county.

On the application of The New York Central and Hudson River Railroad Company, in which application the Buffalo, Rochester and Pittsburgh Railway Company joins, an order having been duly made by the Board of Railroad Commissioners of the State of New York on the 3d day of June, 1902, for the elimination of the crossings above named, and thereafter plans and

specifications for the work of eliminating such crossings having been duly made and approved by all parties in interest and by the Board of Railroad Commissioners;

Now, on application of the Buffalo, Rochester and Pittsburgh Railway Company for the modification of such plans by the construction of a retaining wall two hundred and ten feet (210') long, from the westerly abutment of the Buffalo Road subway under the tracks of the said two railroad companies; and it appearing that in addition to the work provided for by the said plan so heretofore approved, a sidewalk has been constructed along said new Buffalo Road, and that certain catch basins not included in said plan have also been constructed; and it appearing that said retaining wall and said sidewalk and catch basins are necessary; and a new map and plan having been this day filed with this Commission, showing the entire construction for the elimination of said several railroad crossings, including the said sidewalk, catch basins, and retaining wall; now, after hearing the petitioner, the Buffalo, Rochester and Pittsburgh Railway Company, by its attorney *John S. Rockwell*; The New York Central and Hudson River Railroad Company by *J. W. Pfau*; and the town of Gates by its attorney *George P. Decker*, and its supervisor *Frank W. Wright*; it is

Ordered and Determined: That the plans heretofore approved be and the same are hereby modified and amended by including and providing for the construction of said sidewalk, said catch basins, and said retaining wall, in accordance with said plan this day filed, which said plan is also hereby in all respects approved. The said Buffalo, Rochester and Pittsburgh Railway Company, before this Commission, as a condition for the construction of said retaining wall, waives all claim to any land damages by reason of the construction of said new road along the boundary of the lands of said railway company.

It is hereby further Ordered: That the detailed estimate of said work of constructing sidewalks and catch basins, which has already been done, and of the cost of constructing said retaining wall, which has this day been filed, showing a total cost of eight thousand dollars (\$8000), is hereby approved.

[Case No. 9]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

Petition of the MAYOR AND COMMON COUNCIL OF THE CITY OF UTICA as to changing Genesee Street and Park Avenue crossings of the New York Central and Hudson River Railroad from grade to overhead crossings.

Resolved, That The New York Central and Hudson River Railroad Company be requested to prepare as speedily as practicable, and submit to this Commission, plans and specifications for the elimination of the grade crossing at Genesee street in the city of Utica, in accordance with Scheme ten, approved as to its general features by the Commission in its opinion. That when such plans and specifications are prepared it be requested to file the same with the Commission, together with at least six blue-print copies thereof. That when the same are so filed the Secretary transmit two copies of such

blue prints to the mayor of the city of Utica, one copy to the chamber of commerce, and one copy to the citizens' committee, for examination and suggestions as to details. That the final order for such elimination will be made after a reasonable opportunity for the making of such suggestions has been afforded.

Resolved, That the said railroad company be requested to prepare and submit to this Commission as speedily as practicable plans for the elimination of the grade crossing over its tracks at Park avenue in said city of Utica, to the end that a hearing upon the question of such elimination may be appointed.

[See Case No. 9, June 27, 1908, page 234.]

[Case No. 94]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY for a crossing of the main line of the Erie Railroad Company in the township of Carrollton, Cattaraugus county, New York.

On reading and filing the application of the Western New York and Pennsylvania Traction Company for a determination of the manner of crossing by the single-track railway of said petitioner of the main line of the Erie Railroad Company in the township of Carrollton, Cattaraugus county, N. Y., under section 68 of the Railroad Law; and the petitioner having filed with this Commission due proofs of publication of notice of this hearing in the Republican Press, a newspaper published in the village of Salamanca, Cattaraugus county, N. Y.; and said matter having been brought on for a hearing on the 16th day of November, 1907, in the city of Jamestown, N. Y., and the defendant appearing and filing an answer to said petition; and said proceedings thereupon having been held until the determination of the point of crossing and the compensation to be paid therefor, under a proceeding instituted in the Supreme Court, Cattaraugus county, under section 12 of the Railroad Law; and it appearing that since the filing of the petition and answer herein a proceeding has been instituted by the petitioner herein in the Supreme Court of this State, under section 12 of the Railroad Law, for the appointment of commissioners to determine the location or point of the crossing described in the petition herein and the compensation to be paid therefor, in which proceeding the above named defendant interposed an answer, raising the same issues raised by the answer in this proceeding; and that in said proceeding in the Supreme Court all said issues were determined in favor of the plaintiff, and judgment entered accordingly in the office of the clerk of Cattaraugus county on or about the 20th day of February, 1908; and that pursuant to said judgment commissioners were appointed, and that said commissioners duly filed their report, fixing and determining the point and location of said crossing and the compensation to be paid therefor; and that a final order confirming the report of said commissioners was entered in the office of the clerk of Cattaraugus county on or about the 3rd day of March, 1908; and this proceeding coming on to be heard, and the petitioner herein having made proof before the Commission of the aforesaid proceedings in the Supreme Court and of the judgment

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and order aforesaid; and having appeared by *Joseph L. Page, esq.*, its attorney, and asked that this Board determine the manner of said crossing pursuant to the provisions of section 68 of the Railroad Law; and the above named defendant having appeared by *Messrs. Orcutt, Robbins & Brown*, its attorneys, in opposition thereto; it is

Ordered: That the crossing of the tracks and roadbed of the defendant, Erie Railroad Company, by petitioner's single-track railroad, at the point described in the petition and shown on a map thereto attached, shall be by means of an overhead structure of one span at least the length of the width of defendant's right of way, said bridge to be so located that the same shall entirely clear the defendant's right of way, and the clearance of the overhead structure shall be at least twenty-two feet above the top of the rail of the defendant's tracks as now located and laid, and the operation of said Erie railroad shall not be interfered with during the construction of said bridge.

It is further Ordered: That the expense of installing and maintaining said bridge structure shall be paid and borne by the plaintiff, the Western New York and Pennsylvania Traction Company.

[Case No. 95]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY for crossings of switches of the Buffalo, Bradford and Pittsburgh Railroad Company, leased to and operated by the Erie Railroad Company, in Main street in the village of Limestone, New York.

On reading and filing the application of the Western New York and Pennsylvania Traction Company for a determination of the manner of crossing by the single-track railway of said petitioner of switches of the Buffalo, Bradford and Pittsburgh Railroad Company, leased to and operated by the Erie Railroad Company, in Main street in the village of Limestone, Cattaraugus county, N. Y., under section 68 of the Railroad Law; and the petitioner having filed with this Commission due proofs of publication of notice of this hearing in the Republican Press, a newspaper published in the village of Salamanca, Cattaraugus county, N. Y.; and the said matter having been brought on for a hearing on the 16th day of November, 1907, in the city of Jamestown, N. Y., and the defendant appearing and filing an answer to said petition; and said proceedings thereupon having been held until the determination of the points of crossing and the compensation to be paid therefor, under a proceeding instituted in the Supreme Court, Cattaraugus county, under section 12 of the Railroad Law; and it appearing that since the filing of the petition and answer herein a proceeding has been instituted by the petitioner herein in the Supreme Court of this State, under section 12 of the Railroad Law, for the appointment of commissioners to determine the location or points of the crossings described in the petition herein and the compensation to be paid therefor, in which proceeding the above named defendants, Buffalo, Bradford and Pittsburgh Railroad Company, and Erie Railroad Company, interposed an answer raising the same issues raised by the answer in this proceeding; and that in said proceeding in the Supreme Court all of said issues were determined in favor of the plaintiff, and judg-

ment entered accordingly in the office of the clerk of Cattaraugus county on or about the 20th day of February, 1908; and that pursuant to said judgment commissioners were appointed, and that said commissioners duly filed their report, fixing and determining the points and locations of said crossings and the compensation to be paid therefor; and that a final order confirming the report of said commissioners was entered in the office of the clerk of Cattaraugus county on or about the 3d day of March, 1908; and this proceeding coming on to be heard, and the petitioner herein having made proof before the Commission of the aforesaid proceedings in the Supreme Court and of the judgment and order aforesaid; and having appeared by *Joseph L. Page, esq.*, its attorney, and asked that this Board determine the manner of said crossings pursuant to the provisions of section 68 of the Railroad Law; and the above named defendants, Buffalo, Bradford and Pittsburgh Railroad Company, and Erie Railroad Company, having appeared by *Meers. Orcutt, Robbins & Brown*, their attorneys, in opposition thereto; it is

Ordered: That the crossings of the tracks and roadbed of the defendants, Erie Railroad Company, and Buffalo, Bradford and Pittsburgh Railroad Company, at the points described in the petition and shown on a map thereto attached, shall be at grade, and shall be standard cut crossings.

And it is further Ordered: That the expense of installing and maintaining said crossings shall be paid and borne by the plaintiff, the Western New York and Pennsylvania Traction Company.

It is further Ordered: That all of petitioner's cars shall come to a stop before crossing said tracks, and the conductor on said cars shall go to the front platform and see that no trains or cars are approaching on said defendants' tracks before giving the signal for the car to proceed over the crossings, and the car shall not proceed until such signal is received by the motorman.

[Case No. 10]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the INTERNATIONAL RAILWAY COMPANY, under section 68 of the Railroad Law, for a determination as to whether a single-track extension of the petitioner's street surface railroad in the Lewiston road highway in the town of Lewiston, Niagara county, shall cross the Rome, Watertown and Ogdensburg railroad, single track, steam (leased to and operated by The New York Central and Hudson River Railroad Company), above, below, or at the grade of the steam railroad, the point of crossing proposed being in lots Nos. 26 and 27 of the mile reserve of the town of Lewiston.

After due deliberation, it is

Ordered: That the matter of this petition be closed on the records of this Commission, and permission is hereby given the International Railway Company to withdraw the proceedings now pending, with leave to renew at some future date.

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[Case No. 132]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
of April, 1908.

Present:

F^RANK W. STEVENS, Chairman,
M^ARTHIN S. DECKER,
J^AMES E. SAGUE,
Commissioners.

In the matter of the Application of the ROCHESTER
RAILWAY COMPANY for the determination of the man-
ner in which its railroad shall cross the tracks of
The New York Central and Hudson River Railroad
Company on Lyell avenue in the city of Rochester,
New York.

Resolved, That the crossing of the tracks of the New York Central and Hudson River railroad at Lyell avenue in the city of Rochester by the tracks of the Rochester Railway Company may be made temporarily at the grade of the existing tracks of the said New York Central and Hudson River railroad, and that an order be entered to that effect which shall contain in appropriate form the following provisions and conditions:

1. That the said order shall not be in force or take effect until the said Rochester Railway Company shall have filed with this Commission a written stipulation under its corporate seal executed by its president and duly acknowledged pursuant to a resolution of its board of directors, a certified copy of which resolution shall also be filed with the Commission, to the effect that it will at any time in the future when so ordered and directed by the Commission construct said crossing either above or below the grade of the New York Central and Hudson River railroad pursuant to the order of the Commission, and that any order making such direction and requirement shall have the same force, validity, and effect as though now made upon the present application for the determination by this Commission pursuant to section 68 of the Railroad Law. Such stipulation to be in form and substance satisfactory to the Commission.

2. The expense of such temporary crossing shall be paid by the Rochester Railway Company.

3. The construction of such temporary crossing shall be made subject to the supervision and approval of the proper officials of The New York Central and Hudson River Railroad Company.

4. That the said Rochester Railway Company shall keep a watchman at said crossing from the hour of 8 a. m. to the hour of 10 p. m.; that no car of said company or any other company using its tracks shall pass over said crossing without coming to a full stop, nor without a signal from the watchman during the hours he is on duty, nor during other hours without a signal to the motorman from the conductor of the car who shall have gone upon the crossing and looked for approaching trains upon the steam railroad.

Resolved, That the said Rochester Railway Company be directed to prepare plans and specifications for an undercrossing at said point and present the same to the Commission before May 1st next for its consideration, it being the intent to direct an under- or overcrossing as soon as the same can be done.

[Case No. 194]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the DOLGEVILLE AND SALISBURY RAILWAY COMPANY, under section 60 of the Railroad Law, for an order determining the manner in which its single-track railroad shall cross highways in the town of Salisbury, Herkimer county.

The Dolgeville and Salisbury Railway Company on January 25, 1908, filed with this Commission its petition, under section 60 of the Railroad Law, for an order determining the manner in which its single-track standard-gauge steam railroad, to be constructed from a connection with the existing Little Falls and Dolgeville steam railroad, in Dolgeville, to the mine of the Salisbury Steel and Iron Company in the town of Salisbury, a distance of about four and a-half miles, all in the county of Herkimer, shall cross five highways in said town of Salisbury.

A public hearing on this petition, after notice as required by the statute, was held by this Commission in the Capitol in the city of Albany on the 11th day of February, 1908; *William H. Switzer* appeared for the petitioner; no one else appeared.

This Commission, by order dated October 3, 1907, granted to this petitioner a certificate under section 59 of the Railroad Law, and permission to construct its railroad and exercise franchises therefor under section 53 of the Public Service Commissions Law.

After due deliberation, this Commission hereby determines, under section 60 of the Railroad Law, that it would be impracticable for the single-track railroad of the Dolgeville and Salisbury Railway Company to cross otherwise than at grade the highways in the town of Salisbury, Herkimer county, hereinafter named, at the points hereinafter named, and it is hereby

Ordered: 1. That the said single-track railroad of the Dolgeville and Salisbury Railway Company shall cross at grade the Shedd road highway, near the dwelling house of G. A. Shedd.

Ordered: 2. That the said single-track railroad of the Dolgeville and Salisbury Railway Company shall cross at grade the Corey road highway, near the lands of Will Corey and Amos Cramer.

Ordered: 3. That the said single-track railroad of the Dolgeville and Salisbury Railway Company shall cross at grade the Salisbury road highway, near the lands of Amos Cramer and Willis Wolever.

Ordered: 4. That the said single-track railroad of the Dolgeville and Salisbury Railway Company shall cross at grade the Plummerville road highway, near the dwelling house of Burrell Rice and near the lands of Amos Cramer.

Ordered: 5. That the said single-track railroad of the Dolgeville and Salisbury Railway Company shall cross at grade the Plummerville road highway, near the crossing referred to in order number four.

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[Case No. 105]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 28th day
of April, 1908.**

Present:

**FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.**

In the matter of the Petition under section 62 of the Railroad Law of the TOWN BOARD OF THE TOWN OF SANGERFIELD, Oneida county, as to changing the Sanger road highway grade crossing of the Delaware, Lackawanna and Western railroad (Utica, Chenango and Susquehanna Valley railway) from grade to an undercrossing of the railroad.

After due deliberation, it is

Ordered: That the matter of this petition be closed on the records of this Commission.

[Case No. 101]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 13th day
of May, 1908.**

Present:

**FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.**

In the matter of the Petition of the VILLAGE OF WAYLAND, Steuben county, under section 61 of the Railroad Law, for an order determining whether a new street laid out by said village to connect Pine and Park streets shall cross the Erie railroad over, under, or at the grade of said railroad.

This petition, under section 61 of the Railroad Law, by the village of Wayland, Steuben county, was filed with the former Board of Railroad Commissioners on June 17, 1907. The petition asks for an order determining whether a new street laid out by said village to connect Pine and Park streets shall pass over or under the Erie railroad or at the grade of said railroad, there being a main track and a side track of the railroad at the point of proposed crossing.

A public hearing on this petition, after notice as required by statute, was held by this Commission in the Capitol, Albany, on November 7, 1907. H. V. Pratt appeared for the petitioner; no one else appeared. Upon the aforesaid petition and the statements at the hearing, and after due deliberation, it is

Ordered: That this Commission hereby determines, under section 61 of the Railroad Law, that a new street in the village of Wayland, Steuben county, laid out by said village to connect Pine and Park streets, shall be constructed across the Erie railroad at the grade of said railroad; that the said grade crossing shall be properly planked, and that a crossing alarm bell shall be maintained thereat by the Erie Railroad Company.

[Case No. 314]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 Commissioners.

In the matter of the Petition of THE LAKE SHORE AND MICHIGAN SOUTHERN RAILWAY COMPANY, under section 62 of the Railroad Law, as to the North Evans highway grade crossing of said company's railway near its North Evans station, in the town of Evans, Erie county.

Appearances: Hoyt & Spratt (*Thomas D. Powell appearing*) for the petitioner; Julius M. Schwert, supervisor, and Charles Bromley, highway commissioner, for the town of Evans; Frederic Almy, a property owner, in person; J. S. Roberts, attorney, and W. T. Covert, assistant engineer, for the Pennsylvania Railroad Company; W. J. Bergen, engineer, for The New York, Chicago and St. Louis Railroad Company; J. C. Calisch, general manager, Buffalo and Lake Erie Traction Company.

This petition, under section 62 of the Railroad Law, by The Lake Shore and Michigan Southern Railway Company, was filed with the former Board of Railroad Commissioners on June 19, 1907. It alleges that public safety requires that the North Evans highway grade crossing of said company's railway near its North Evans station, in the town of Evans, Erie county, be closed and discontinued, and that the travel thereon be diverted therefrom by the construction of a new piece of highway and an undercrossing of said railway, the undercrossing to be located approximately at the point of present grade crossing, and asks this Commission for an order so determining. The company has stipulated that the entire cost of the work, whether of construction or damages, will be paid by it. A public hearing on this petition, after notice as required by the statute, was held by Commissioners Stevens and Olmsted in the city of Buffalo on May 8, 1908. After hearing evidence and arguments the hearing was closed on that date. Upon the aforesaid petition and blue-print map attached thereto, and after consideration of the evidence at the hearing, this Commission believes that public safety requires that the changes proposed by the petition be made; and therefore, under section 62 of the Railroad Law, it is

Ordered: 1. That the North Evans highway grade crossing of the Lake Shore and Michigan Southern railway, near the North Evans station on said railway, in the town of Evans, Erie county, be closed and discontinued, and that the travel thereon be diverted therefrom by the construction of a new piece of highway and an undercrossing of said railway, which undercrossing shall be located approximately at the point of the present grade crossing, as shown by the blue-print map attached to the petition herein, and which new piece of highway and undercrossing this Commission hereby orders shall be constructed.

Ordered: 2. That the clear headroom of said undercrossing over the crown of the highway shall be thirteen feet.

Ordered: 3. That the width of said undercrossing between the neat lines of masonry shall be twenty feet.

Ordered: 4. That the said work shall be done substantially as shown by a blue-print map attached to the petition in this matter entitled:

"L. S. & M. S. Ry.

"Proposed separation of grade for highway

"at North Evans, N. Y.

"Scale: 1" = 50' Cleveland, O., June, 1905."

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Ordered: 5. That no part of the cost of said work, whether of construction or damages, shall be paid by the State of New York or the town of Evans, Erie county, but that the entire cost of said work, whether of construction or damages, shall be borne by The Lake Shore and Michigan Southern Railway Company.

Ordered: 6. That the said existing grade crossing shall not be closed until the new piece of highway and undercrossing are constructed and ready for use by the public; or, if it is necessary to close the existing grade crossing before such time, that a proper way for the public to cross the railway at grade be provided nearby until the new piece of highway and undercrossing are constructed and ready for use by the public.

[Case No. 9]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the MAYOR AND COMMON COUNCIL OF THE CITY OF UTICA, under chapter 335 of the laws of 1907, and section 62 of the Railroad Law, as to the Genesee Street and Park Avenue grade crossings of the New York Central and Hudson River railroad in said city.

Appearances:

Richard W. Sherman, mayor; *William Townsend*, corporation counsel; *Josiah Perry*, corporation counsel; *Michael J. Burke*, president of the common council; *City Engineer O'Brien*; for the city.

Merwin K. Hart, in person and for committee of Chamber of Commerce and Joint Committee.

H. Lawrence White as a citizen.

W. Pierpont White as a citizen.

Theodore L. Cross for *Fanny G. Kinney*, Mohawk Valley Packing Company, Central New York Varnish Company, Henry Roberts estate, and *Henry C. Ballou*, property owners.

E. B. Hastings and *James Coupe* for *John Dehs*, property owner.

Pratt G. Smith for property owners on east side of Genesee street.

George W. Weaver for *Emma T. Pratt* and *Henry C. Ballou*, property owners.

Wilmot T. Cox for *Maria D. B. Cox* and *Cornelia J. Chadwick*, property owners.

Charles B. Mason for *Catharine N. Miller*, *Maria B. Wheaton*, *Elizabeth B. Nichols*, and *Rutger B. Miller*, property owners.

Charles H. Searle for *M. L. Holmes*, property owner.

George W. Oatley, president Utica Chamber of Commerce.

Smith M. Lindsay, *John E. McLaughlin*, *John H. Jones*, *Fred J. Boone*, and *O. S. Foster*, composing a Citizens' Committee, and for Joint Committee.

Ira A. Place and *Thomas D. Watkins* for The New York Central and Hudson River Railroad Company.

John B. Kerr and *L. E. Carr* for New York, Ontario and Western Railway Company; Mr. Carr also appears for the Utica, Clinton and Binghamton Railroad Company.

Walter N. Kieran for The Delaware, Lackawanna and Western Railroad Company.

Dunmore & Ferris for Rathbun & Co.

Edwin H. Risley for a Citizens' Committee.

J. F. Congdon for Echter & Dehs.

Richard A. Manley for residents of Utica, by letter.

Rutger Bleeker Miller by letter.

Lodge No. 164, Brotherhood of Railroad Trainmen, by preambles and resolutions.

Lodge No. 44, Switchmen's Union of North America, by letter.

J. Wurz, property owner.

This petition by the mayor and common council of the city of Utica was filed with this Commission on August 1, 1907. Its prayer is as follows:

"The mayor and common council of the city of Utica, N. Y., under chapter 335 of the laws of 1907, and section 62 of the Railroad Law, allege that public safety requires an alteration in the manner in which the streets known as Genesee street and Park avenue in said city cross the New York Central and Hudson River railroad, and petition you to determine that said crossings of said railroad shall be changed from grade to overhead crossings either on the present lines of said streets or in new locations near the present locations, to be determined by your Board."

A public hearing thereon, after notice as required by statute, was held by this Commission in the city of Albany on September 10, 1907, and further hearings were held in Utica on November 8, 1907, and February 7, 1908. On March 10, 1908, this Commission decided that a plan known as scheme ten should be the one adopted for the changing of the Genesee Street grade crossing to an overhead crossing. Subsequently, the city filed with the Commission a petition and amended petition asking the Commission to reconsider its decision as to scheme ten, and to determine that a new plan known as the Broad Street plan, and which provides for an overhead crossing of the railroad east of Genesee street and starting from Broad street, should be adopted in place of scheme ten.

The matter of this petition and amended petition was considered at a hearing held by this Commission in the city of Albany on June 22, 1908. There was nothing presented at the hearing which the Commission deemed sufficient to induce it to substitute the Broad Street plan for scheme ten.

During the progress of this matter it became apparent that should an overhead crossing be constructed at Genesee street, the Division Street grade crossing of said railroad, located a short distance west of Genesee street, should be closed and discontinued, and this Commission hereinafter so orders.

The matter of the elimination of the grade crossing at Park avenue is reserved for further hearing and determination, the hearing to be on some future day to be determined by this Commission, and this proceeding being continued until an order is made as to the Park Avenue crossing.

Upon the aforesaid petition and the evidence at the various hearings, and after due deliberation, this Commission hereby determines that public safety requires that the said Genesee Street grade crossing of said New York Central and Hudson River railroad shall be changed from grade to an overhead crossing of the railroad, and under chapter 335 of the laws of 1907, and section 62 of the Railroad Law, it is

Ordered: 1. That the Genesee street crossing of the New York Central and Hudson River railroad in the city of Utica shall be changed from grade to an overhead crossing of said railroad, and that said street shall be carried over the tracks upon a metal viaduct, with suitable approaches, along the line of the present location of Genesee street, North Genesee street, and Bagg's Square, and upon substantially the following plan: The street shall be carried over the tracks of the railroad upon a paved solid-floor metal viaduct of the width of 66 feet between hand-rails, the viaduct terminating upon the northerly end about 60 feet northerly of the proposed tracks of the New York Central and Hudson River railroad, and from the northerly termination of this viaduct the street shall be carried upon an earth fill along North Genesee street on a descending grade of four per cent. until it terminates at the present grade of the street. The surface of this fill shall be paved. Upon the westerly side this earth fill shall be supported by a retaining wall. On the easterly side there shall be an earth slope. Southerly from the south

end of the viaduct, which shall extend a distance of about 73 feet southerly from the track of the railroad as at present located, Bagg's Square is to be filled from the curb at the south line of Main street, leaving the curb at its present elevation, the slope being carried to the viaduct so as to produce the clearances hereinafter specified. This earth fill is to be supported upon both sides at the street line by a retaining wall, and is to be paved. Concrete sidewalks shall be constructed upon each side of both embankments. The viaduct shall have two roadways, and a sidewalk upon each side. The clearances of the viaducts over the tracks of the railroad shall be twenty-one feet, except those upon the southerly side of track No. 1, the clearance over which shall be as shown upon what is known as scheme ten, heretofore adopted by the Commission. The kind of paving and of retaining walls to be determined upon final approval of the specifications.

Ordered: 2. That The New York Central and Hudson River Railroad Company submit to this Commission and the city engineer of Utica, with all possible dispatch, plans and specifications for the construction of the said viaduct and approaches, in accordance with the general directions herein given, to the end that the said plans and specifications, when submitted, may be approved or modified according to the direction of the Commission; that as soon as said plans and specifications are fully adopted by the Commission, the work of eliminating said crossing by making such construction shall proceed with all reasonable dispatch.

Ordered: 3. That although the proceedings for the elimination of the aforesaid grade crossing were instituted under and pursuant to chapter 336 of the laws of 1907, at the time of making this final determination in said proceedings a sufficient sum has been appropriated by the legislature to pay that proportion of the expense of such elimination which is chargeable to the State, and a sufficient portion of the appropriation heretofore made by the legislature for the elimination of grade crossings is set apart for the purpose of the work herein ordered.

Ordered: 4. That as a part of such elimination of said grade crossing, Division street in the said city of Utica lying just westerly of Genesee street shall be closed as a public street over and across the right of way of The New York Central and Hudson River Railroad Company; such closing to become effective when the viaduct in Genesee street is completed and opened for public use.

[See Case No. 9, March 10, 1908, page 226.]

[August 27, 1908, the city of Utica appealed from above order to the Appellate Division of the Supreme Court, Fourth Department. November 10, 1908, appeal was dismissed, on stipulation.]

[Case No. 133]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th
day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSFED,
Commissioners.

In the matter of the Petition of the PRESIDENT AND TRUSTEES OF THE VILLAGE OF LA SALLE, Niagara county, under section 61 of the Railroad Law, for an order determining whether Hamilton street in said village shall cross the New York Central and Hudson River railroad, the Erie railroad, and the right of way of the Buffalo, Thousand Islands and Portland Railroad Company, over, under, or at the grade of said railroads and said right of way.

The president and trustees of the village of La Salle, Niagara county, on March 18, 1905, filed with the former Board of Railroad Commissioners their petition, under section 61 of the Railroad Law, for an order determining whether Hamilton street in said village should be carried across the New York Central and Hudson River railroad, the Erie railroad, and the right of way of the Buffalo, Thousand Islands and Portland Railroad Company, over, under, or at the grade of said railroads and said right of way.

A public hearing on said petition, after notice as required by the statute, was held by said Board in the city of Buffalo on April 12, 1905, at which the petitioners and the railroad companies involved were represented. It appeared at that time that the railroad companies had appealed to the courts from the determination of the village laying out the street across said railroads and said right of way. Under these circumstances, that Board determined not to proceed with the matter until after the determination of the appeal. The appeal was determined in favor of the village, and the matter came before this Commission by operation of the Public Service Commissions Law, chapter 429 of the laws of 1907, and a hearing, after notice as required by the statute, was called by this Commission in Niagara Falls on December 12, 1907, but without the taking of evidence this hearing was postponed at the request of the attorney for one of the railroad companies who was engaged in court.

On June 30, 1908, the matter was heard in Buffalo by Commissioners Stevens and Olmsted of this Commission. At this hearing, *Arthur W. Gray* appeared for the petitioners; *M. C. Spratt* appeared for The New York Central and Hudson River Railroad Company; *Moot, Sprague, Brownell & Marcy* appeared for the Erie Railroad Company; *Kenefick, Cooke & Mitchell* appeared for the Buffalo, Thousand Islands and Portland Railroad Company. After hearing evidence and arguments the hearing was closed. From the petition and the evidence at the hearing on June 30th, and after due deliberation, it is

Ordered: Under section 61 of the Railroad Law that Hamilton street in the village of La Salle, Niagara county, shall cross the New York Central and Hudson River railroad, the Erie railroad, and the right of way of the Buffalo, Thousand Islands and Portland Railroad Company, above the grade of said railroads and said right of way on an overhead metal viaduct, with earth approaches, and that whenever the village of La Salle shall submit to this Commission plans for such viaduct the Commission will then determine the grade of such approaches.

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[Case No. 337]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Joint Petition and Joint Supplemental Petition of the TOWN BOARD OF THE TOWN OF VERONA, Oneida county, THE LEHIGH VALLEY RAILWAY COMPANY, and the LEHIGH VALLEY RAILROAD COMPANY, under section 62 of the Railroad Law.

This joint petition and joint supplemental petition, under section 62 of the Railroad Law, by the town board of the town of Verona, Oneida county, The Lehigh Valley Railway Company, and the Lehigh Valley Railroad Company, were filed with this Commission on May 18, 1908. The petition asks for an order determining that the Creek Road highway grade crossing of the Lehigh Valley railway (lessor), situated at a point immediately north (east) of the Sylvan Beach station on said railway, in the town of Verona, Oneida county, shall be closed and discontinued; that a new piece of highway about four hundred and forty feet long, and connecting the Creek Road highway and the Lake Road highway, shall be constructed about ninety feet west of said station; and that the Lake Road highway shall be constructed at grade across said railway at a point immediately south of said station.

A public hearing on this petition, after notice as required by the statute, was held by this Commission in the city of Albany on May 8, 1908; *Kenefick, Cooke & Mitchell* appeared for The Lehigh Valley Railway Company (lessor) and the Lehigh Valley Railroad Company. A further hearing in the matter was held by this Commission in Albany on July 8, 1908, at which *Howard C. Wiggins* appeared for the town board of Verona, and the railroad companies were represented as before. The hearing was closed on July 8, 1908. Upon the aforesaid petition and supplemental petition, and the evidence at the hearings, this Commission believes that public safety requires that the changes proposed by the petition be made, and therefore under section 62 of the Railroad Law it is

Ordered: 1. That the Creek Road highway grade crossing of the Lehigh Valley railway (leased to and operated by the Lehigh Valley Railroad Company) situated at a point immediately north (east) of the Sylvan Beach station on said railway, in the town of Verona, Oneida county, shall be closed and discontinued; that a new piece of highway about four hundred and forty feet long, and connecting the Creek Road highway and the Lake Road highway, shall be constructed about ninety feet west of said station; that the Lake Road highway shall be constructed at grade across said railway at a point immediately south of said station.

Ordered: 2. That no part of the cost of said work, whether of construction or damages, shall be paid by the State of New York.

Ordered: 3. That the said Creek Road highway grade crossing of said railway shall not be closed until the new piece of highway and crossing at grade of said railway by the Lake Road highway are constructed and ready for use by the public.

[See Case No. 337, November 9, 1908, page 251.]

{Case No. 26]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the CORTLAND AND AUBURN RAILROAD COMPANY, under section 60 of the Railroad Law, for an order determining the manner in which its single-track railroad shall cross streets, avenues, and highways.

The Cortland and Auburn Railroad Company having on September 7, 1907, filed with this Commission its petition, under section 60 of the Railroad Law, for an order determining the manner in which its single-track standard-gauge, steam railroad, to be constructed from the city of Cortland to the city of Auburn, and to be located in the counties of Cortland, Onondaga, and Cayuga, shall cross streets, avenues, and highways; and hearings having been held on said petition in the city of Auburn on November 15, 1907, and in the city of Albany on July 9, 1908; *King, Waters & Page* and *Nathan A. Bundy* appearing for the petitioner, and *Hon. E. C. Aiken*, mayor, appearing for the city of Auburn; now, upon the aforesaid petition and accompanying papers and maps and evidence at the hearings, and after due deliberation, this Commission hereby determines, under section 60 of the Railroad Law, that it would be impracticable for the single-track railroad of the Cortland and Auburn Railroad Company to cross otherwise than at grade the streets, avenues, and highways in the counties of Cortland, Onondaga, and Cayuga, hereinafter named, at the points hereinafter named, except where a method of crossing otherwise than at grade is hereinafter named, and in such cases this Commission hereby determines that said crossings by said company's single-track railroad shall be otherwise than at grade as hereinafter stated; and it therefore is hereby

Ordered: 1. That in the city of Cortland said single-track railroad of said company shall cross at grade: 1, Main street; 2, Owego street; 3, Delaware avenue; 5, Groton avenue; 6, Madison street; 7, Fitts avenue or Evergreen street.

Ordered: 2. That in the town of Cortlandville, Cortland county, said single-track railroad of said company shall cross at grade: 8, Fisher avenue.

Ordered: 3. That in the village of Homer, Cortland county, said single-track railroad of said company shall cross at grade: 9, Copeland avenue; 10, Center street; 11, Cayuga street; 12, West street.

Ordered: 4. That in the town of Homer, Cortland county, said single-track railroad of said company shall cross at grade: 13, Crouse farm crossing; 14, Ranney farm crossing; 15, Larrison farm crossing; 16, Scott road crossing, near Grange.

Ordered: 5. That in the town of Scott, Cortland county, said single-track railroad of said company shall cross at grade: 20, Scott road at the C. S. Clark farm; 21, Scott road at the Bowen farm; 22, Scott road at the E. E. Clark farm.

Ordered: 6. That in the town of Niles, Cayuga county, said single-track railroad of said company shall cross at grade: 23, Highway at the Hooker farm; 24, Highway at the Calvin Wood farm; 25, Highway at the Robertson farm.

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Ordered: 7. That in the town of Skaneateles, Onondaga county, said single-track railroad of said company shall cross at grade: 26, Highway at the Edwards farm; 27, Highway at the Edick farm; 28, Highway at the Prentice farm.

Ordered: 8. That in the town of Owasco, Cayuga county, said single-track railroad of said company shall cross at grade: 29, North street; 30, Highway at LeFevre farm; 33, DeGraff road; 34, Highway at Smiley farm.

Ordered: 9. That in the city of Cortland said single-track railroad of said company shall cross under the grade of: 4, Tompkins street.

Ordered: 10. That in the town of Owasco, Cayuga county, said single-track railroad of said company shall cross under the grade of: 35, Owasco street.

Ordered: 11. That in the town of Scott, Cortland county, said single-track railroad of said company shall cross over the grade of: 19, Scott road highway at the Jones farm.

Ordered: 12. That detailed plans for the under- and overcrossings named in this order, to wit, Nos. 4, 19, and 35, shall be submitted to this Commission for approval before the crossings are constructed.

Ordered: 13. That action by this Commission on crossing No. 17, at the Springer farm in the town of Homer; and crossing No. 18, at the Brown farm in the town of Scott; be withheld pending the construction of a new state road under the direction of the State Engineer and Surveyor.

Ordered: 14. That action by this Commission on crossing No. 31, highway at Lewis farm; and crossing No. 32, highway at the Martin estate, town of Owasco; be withheld pending the submission of plans showing proposed manner of crossing.

[Case No. 93]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY for a crossing of the Dunkirk branch of the Erie railroad in the town of Little Valley, New York.

On reading and filing the application of the Western New York and Pennsylvania Traction Company for a determination of the manner of crossing by the single-track railway of said petitioner of the Dunkirk branch of the Erie railroad, in the town of Little Valley, Cattaraugus county, New York, under section 68 of the Railroad Law; and the petitioner having filed with this Commission due proofs of publication of notice of this hearing in the Republican Press, a newspaper published in the village of Salamanca, Cattaraugus county, New York, and due proofs of service of the copy of said notice on the town clerk of the town of Little Valley; and said matter having been brought on for hearing on the 16th day of November, 1907, in the city of Jamestown, New York, and the defendant appearing and filing an answer to said petition; and said proceedings thereupon having been held until the determination of the point of crossing and the compensation to be paid therefor, under a proceeding instituted in the Supreme Court, Cattaraugus county, under section 12 of the Railroad Law; and it appearing that since

the filing of the petition and answer herein a proceeding has been instituted by the petitioner herein in the Supreme Court of this State, under section 12 of the Railroad Law, for the appointment of commissioners to determine the location or point of the crossing described in the petition herein and the compensation to be paid therefor, in which proceeding the above named defendant interposed an answer, raising the same issues raised by the answer in this proceeding; and that in said proceeding in the Supreme Court all said issues were determined in favor of the plaintiff, and judgment entered accordingly in the office of the clerk of Cattaraugus county on or about the 9th day of September, 1908; and that pursuant to said judgment commissioners were appointed, and that said commissioners duly filed their report, fixing and determining the point and location of said crossing and the compensation to be paid therefor; and that a final order confirming the report of said commissioners was entered in the office of the clerk of Cattaraugus county on or about the 10th day of September, 1908; and this proceeding coming on to be heard, and the petitioner herein having made proof before the Commission of the aforesaid proceedings in the Supreme Court and of the judgment and order aforesaid, and having appeared by Joseph L. Page, *esq.*, its attorney, and asked that this Board determine the manner of said crossing pursuant to the provisions of section 68 of the Railroad Law; and the above named defendant having appeared by *Messrs. Orcutt, Robbins & Brown*, its attorneys, in opposition thereto; it is

Ordered: That the crossing of the tracks and roadbed of the defendant, Erie Railroad Company, by petitioner's single-track railroad, at the point described in the petition and shown on a map thereto attached, shall be by means of an overhead structure of one span at least the length of the width of defendant's right of way, said bridge to be so located that the same shall entirely clear the defendant's right of way, and the clearance of the overhead structure shall be at least twenty-two feet above the top of the rail of the defendant's tracks as now located and laid, and the operation of said Erie railroad shall not be interfered with during the construction of said bridge.

It is further Ordered: That the expense of installing and maintaining said bridge structure shall be paid and borne by the plaintiff, the Western New York and Pennsylvania Traction Company.

[Case No. 273]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the MAYOR AND COMMON COUNCIL OF THE CITY OF TROY, under section 62 of the Railroad Law, as to the Tarbell's grade crossing of the Boston and Maine Railroad in said city.

Appearances: George B. Wellington and Pierce H. Russell for petitioners; Jarvis P. O'Brien for the Boston and Maine Railroad; Frederick C. Filley for property owners and users of the crossing; Edward J. Donahue for the Augustine Society; Edward W. Arms (by letter); Edward Allen Reed and David Allen Reed (by petition).

This petition under section 62 of the Railroad Law, by the mayor and common council of the city of Troy, was filed with this Commission on March 23, 1908. It alleges that public safety requires an alteration in the manner in which a street in said city running from about Nineteenth street (Lansingburgh) crosses the Boston and Maine double-track railroad, the crossing being known as Tarbell's crossing, and asks this Commission for an order determining that the said crossing, which is now at grade, shall be changed to an over- or undercrossing, at its present location or at another point.

A public hearing on said petition, after notice as required by the statute, was held by this Commission in Albany on July 28, 1908. Evidence as to the danger of the crossing was taken, and engineers representing this Commission, the city, and the company, were directed to meet at the crossing and consider a method for its elimination. A plan for changing the crossing to an undercrossing, approximately at the present location, was submitted to the Commission by the city; and a plan providing for the closing of the present crossing and the construction of a new piece of highway and an overhead crossing at a point about three hundred and fifty feet north of the grade crossing was submitted by the company. The Commission believes that the plan submitted by the company is preferable to the undercrossing proposed, because of the cost, difficulties in construction, and obstruction to view of approaching vehicles in the undercrossing, which obstructions can not be avoided because of the location of the street and the contour of the land. Upon the evidence at the hearing, and after careful consideration of the plans submitted, the Commission finds that public safety requires that the changes at this point hereinafter described shall be made; and therefore under section 62 of the Railroad Law it is

Ordered: 1. That the crossing at grade of the Boston and Maine railroad by a street running from Nineteenth street at a point known as Tarbell's crossing shall be closed and discontinued, and that a new piece of street shall be constructed through private property west of said railroad and extending from the closed crossing to a point about three hundred and fifty feet north thereof, and that approaches to and an overhead bridge crossing of said double-track railroad shall be constructed as a continuation of said new piece of street from said point about three hundred and fifty feet north of the proposed crossing diagonally across the railroad to (partly also through private property) a connection on the east of said railroad with the existing street which now crosses said railroad at grade at Tarbell's crossing.

Ordered: 2. That said new piece of street and overhead bridge and approaches shall be constructed substantially as shown by a blue-print plan filed with this Commission and entitled "Boston and Maine Railroad, Fitchburg Div. Troy Br. Grade Crossing 3/10 mile East of Lansingburg Station, Troy, N. Y. Scale 50'-10'-8" equal 1 in. Aug. 1908," except (1) that the width of the westerly approach where a turn is made at the end of the bridge shall be thirty feet between railings instead of twenty-five feet as shown by said plan, and (2) the width of the bridge shall be twenty-five feet between wheelguards.

Ordered: 3. That detail plans and specifications for said work shall be submitted to this Commission by the company as soon as practicable from the date of this order.

Ordered: 4. That the clear headroom of said bridge from top of rails of the railroad shall be twenty-one feet.

Ordered: 5. That the said existing grade crossing of said railroad known as Tarbell's crossing shall not be closed and discontinued until the said new pieces of highway and overhead bridge crossing of said railroad are constructed and ready for use by the public.

[Case No. 253]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 12th
day of September, 1907.**

Present:

FRANK W. STEVENS, Chairman,
 CHARLES H. KEEF,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 Commissioners.

In the matter of the Petition of THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as lessee of the New York and Harlem railroad, under section 62 of the Railroad Law, as to the Main Street crossing of the New York and Harlem railroad in the village of Tuckahoe, Westchester county.

Appearances:

C. C. Paulding for the petitioner;
 H. D. Lent for the village of Tuckahoe and for property owners;
 William Rubly, president of the village of Tuckahoe;
 Palmer Coolidge for a property owner.

This petition by The New York Central and Hudson River Railroad Company, as lessee of the New York and Harlem railroad, under section 62 of the Railroad Law, was filed with the former Board of Railroad Commissioners on June 24, 1905. It alleges that in the village of Tuckahoe, Westchester county, public safety requires the closing and discontinuance of the Main Street grade crossing of the New York and Harlem railroad (leased to and operated by The New York Central and Hudson River Railroad Company), the construction of an overhead crossing of said railroad about two hundred and fifty feet south of the present grade crossing at Main street, the construction of new pieces of streets leading to the proposed overhead crossing, and the construction of an overhead foot-bridge at the present location of the Main Street grade crossing.

Public hearings on this petition, after notice as required by statute, were held by the Board of Railroad Commissioners in the village of Tuckahoe on August 3, 1905, and in the city of New York on November 15, 1905. On November 15, 1905, the evidence was closed but final hearing was not had, the matter being held open; and on August 7, 1907, this Commission inspected each of the crossings named as a part of this proceeding. At the hearing on August 3, 1905, representatives of the village and property owners opposed the proposed plan, and at the hearing on November 15, 1905, another plan was submitted, to which both the village and company agreed, which plan provides for carrying Main street over the railroad at the present location of the grade crossing. There are now two tracks, which are main tracks, at this crossing, and the company proposes to lay two additional main tracks and to bear all of the added cost of the change of the crossing from grade due to the additional tracks. An estimate of the net cost of the changes proposed in the plan agreed upon November 15th (two main tracks), which estimate was filed by the company with this Commission on July 26, 1907, is \$130,200, one-quarter of which is \$32,550.

The village desires that the Main Street approach to the bridge on the east side shall be carried out so that there shall be no grade in said approach, the topography lending itself to this. To do this would injure abutting property. It is proposed by the plan, hereinbefore referred to, that a new station be constructed on a level with and adjoining the bridge. It was formerly proposed that the present station be, at its present location, raised to the new track level, which if done would result in a saving of about two thousand dollars as compared with the cost of the new station. It is suggested by the village that this two thousand dollars be saved and applied

to the increased cost due to extending the east approach. It is suggested by the company that if on further examination it is found that releases from claims for damages may be obtained from property owners, and that the cost therefore of lengthening this east side approach will not exceed two thousand dollars which can be saved by the suggested change as to the station, that this Commission can make a modified order in this matter to cover these points. We agree with the suggestion of the company, and therefore hereinafter determine this matter without reference to extending the grade on the east approach on Main street further than is shown by the plan. If in the future it is found that the cost of extending this grade can be taken care of as outlined, a modified order in this matter can be made by this Commission. After careful consideration of the evidence and the various maps and papers filed in this proceeding, and upon the personal inspection by this Commission, this Commission believes that public safety requires that this crossing of the railroad be changed from grade, and under section 62 of the Railroad Law it is

Ordered: 1. That the Main Street grade crossing of the New York and Harlem railroad (leased to and operated by The New York Central and Hudson River Railroad Company) in the village of Tuckahoe, Westchester county, shall be changed from grade, and that said street shall be carried over said railroad on a steel bridge in the present line of the street, with approaches to said overhead bridge on Main street and on the Bronxville road highway. 2. That the width of the bridge between centers of girders shall be thirty feet, and there shall be a sidewalk ten feet wide on the outside of each girder, the portion of the bridge between the girders to have a solid floor. 3. That the Main Street approaches to the bridge shall be fifty feet wide on the east side and fifty feet wide on the west side, and the roadway on said approaches shall be thirty feet wide, with a sidewalk ten feet wide on each side of the roadway on said approaches. 4. That the grades on Main street shall be, beginning at a point about eighty feet east of the east line of Breckenridge street, according to the following consecutive order: 6 per cent. for a distance of about eighty feet; 0.00 per cent. for a distance of fifty feet; 5 per cent. for a distance of about forty-seven feet; 0.00 per cent. for a distance of about one hundred and fifty-seven feet to the westerly side of the bridge; and 5 per cent. to an intersection with the existing ground surface. 5. That the Bronxville road approach to the bridge shall be forty-five feet wide, and the roadway on said approach shall be twenty-nine feet wide, with a sidewalk eight feet wide on each side of the roadway on said approach. 6. That the grade of the Bronxville road shall be 0.00 per cent. from the square to an intersection with the existing ground surface. 7. That the grade of Breckenridge street shall be changed to a uniformly descending 1 per cent. grade from Main street to the south line of Underhill street. 8. That these changes, except as to the grade of the Bronxville road, shall be made substantially as shown on a blue-print plan attached to this order as on file in the office of this Commission, the same being marked "N. Y. C. & H. R. R. Leased and operated lines, Harlem division, new main tracks, middle siding, station layout and elimination of grade crossing. Main Street, Tuckahoe. Scales indicated. Issue No. 3, revised 1-29-08, New York, May 1, 1905. H. Fernstrom, Chief Engineer. Approved, W. J. Wilgus, Vice-President."

At a session of the Commission held at the Capitol, Albany, on the 25th day of February, 1908, all the Commissioners being present, the following resolution was adopted:

Resolved, That the determination of this Commission in the matter of grade crossing elimination at Mount Vernon and Tuckahoe be reconsidered.

At a session of the Commission held at the Capitol, Albany, on the 24th day of September, 1908, Commissioners Stevens, Decker, Sague, and Olmsted being present, the following resolution was adopted:

Resolved: That the resolution of this Commission on the minutes of February 25, 1908, as follows: "*Resolved,* That the determination of this Commission in the matter of grade crossing elimination at Mount Vernon and Tuckahoe be reconsidered," be and it is hereby annulled.

[Case No. 254]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 12th
day of September, 1907.**

Present:

FRANK W. STEVENS, Chairman,
 CHARLES H. KEEF,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 Commissioners.

In the matter of the Petition of the **MAYOR AND COMMON COUNCIL OF THE CITY OF MOUNT VERNON** and **THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY**, joined, under section 62 of the Railroad Law, as to crossings by streets and avenues of the New York and Harlem railroad (leased to and operated by The New York Central and Hudson River Railroad Company) in said city.

Appearances:

C. C. Paulding for The New York Central and Hudson River Railroad Company;

Roger M. Sherman, corporation counsel, Isaac N. Mills, and William A. Miles, commissioner of public works, for the city of Mount Vernon;

John C. Hume for the city of New York;

F. A. Stratton for the Westchester Lighting Company;

Sidney A. Syme for Wilhelmine Voss;

Herbert G. Lent for Mary S. Behrmann, Frederick W. Behrmann, and Henry Palm, jr., property owners;

F. A. Gaynor for the Union Railway Company;

Joseph S. Wood for himself and other property owners;

C. D. Mandeville for Aaron Weinberger, William J. R. Patterson, and Charles L. Fulton;

G. C. McKinney appeared in person;

Charles H. Farrington appeared in person;

O. Huscland for the Fourth Ward Taxpayers Association of Mount Vernon;

Oscar Mayer for the Bronx Company;

Francis A. Winslow, corporation counsel, and Samuel L. Cooper, commissioner of public works, for the city of Yonkers.

This petition by the mayor and common council of the city of Mount Vernon and The New York Central and Hudson River Railroad Company (lessee of the New York and Harlem railroad), joined, under section 62 of the Railroad Law, as to highway crossings of the New York and Harlem railroad in the city of Mount Vernon, was filed with the former Board of Railroad Commissioners on June 10, 1906. It is as follows:

"The petition of the mayor and common council of the city of Mount Vernon and of The New York Central and Hudson River Railroad Company respectfully shows:

"That the public safety requires that the crossings at grade of the New York and Harlem railroad (leased by The New York Central and Hudson River Railroad Company) at Mount Vernon avenue, Oak street, and Fleetwood avenue should be eliminated. A plan showing the proposed method of elimination, which has been agreed upon by your petitioners, is hereby submitted, as part of this petition.

"Therefore, your petitioners pray that an order may be made for the elimination of said grade crossings and for the changes in streets incidental to or made necessary thereby."

It is proposed that Mount Vernon avenue and Oak street shall be changed from grade to undercrossings of the railroad, and that Fleetwood avenue shall be changed from grade to an overcrossing of the railroad. The company proposes to change its line so that the crossings by the changed line will not be at the present points of crossing at Mount Vernon avenue and Oak street, but will be made, in the case of Mount Vernon avenue, at a point

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about three hundred and fifty feet west of the present crossing; and in the case of Oak street, at a point about three hundred and fifty feet west of the present crossing. The location of the tracks at Fleetwood avenue is not to be changed, but the overgrade crossing is to be located about five hundred and fifty feet south of the present grade crossing.

Public hearings on this petition, after notice as required by the statute, were held by the Board of Railroad Commissioners in Mount Vernon on August 3, and in New York city on October 31, 1905. On October 31, 1905, the evidence was closed but final hearing was not had, the matter being held open; and on August 7, 1907, this Commission inspected each of the crossings named as a part of this proceeding. There was no opposition at the hearings except so far as damages to property and other incidental matters were concerned, these other incidental matters being:

1. A desire on the part of the Taxpayers Association of the Fourth Ward of Mount Vernon that an additional undercrossing of the railroad be established at Howard street, or some other point between Oak street and Fleetwood avenue, no crossing now existing between these streets.

2. The desire of the city of New York that the grade of the railroad be raised in order to provide what the city considers proper undercrossings of the railroad by DeMilt avenue and Bradley street, New York city. It appeared at the hearing (although the petition does not refer to it) that the railroad proposed to cross overhead South or Mechanic street (herein called Bradley street, which is its new name), and notice of the first hearing was given to property owners, and the mayor of New York city in relation to the Bradley Street proposition. There is now no crossing by the railroad of Bradley street, the crossing being made necessary by the proposed change of line. DeMilt avenue now crosses the railroad in a low undercrossing.

3. There was also a question raised by the city of Yonkers as to a bridge proposed to be constructed over a changed channel of the Bronx river, the city desiring that this bridge, which carries the railroad over the river, shall be fifty-five feet wide instead of forty-five feet wide as provided by the plan.

There is a highway bridge to be provided over the Bronx river at the entrance to the Oak Street undercrossing, which highway bridge is partly in the city of Yonkers. The city of Yonkers desires that this bridge shall have a solid floor.

Crossings within the city of New York are not within the jurisdiction of this Commission. As to the other incidental matters above specified, action will not be taken except as they may be properly presented in any future application. At the existing grade crossings the company now has two main tracks; in the changed location of its railroad there will be four main tracks. Neither the city nor the State is to bear any part of the cost of changing these crossings from grade in excess of that which would involve two main tracks, the cost involved in the two additional main tracks being borne entirely by the company. An estimate of the net cost of the changes proposed (two main tracks), which estimate was filed by the company with this Commission on July 26, 1907, is \$357,000, one-quarter of which is \$89,250. Small portions of the work involved in the changed line of the railroad will be in Yonkers. The city of Yonkers, however, does not participate in the cost of any of the work under this determination. After careful consideration of the evidence and the various maps and papers filed in this proceeding, and from such personal inspection, this Commission believes that public safety requires the changing from grade of these Mount Vernon Avenue, Oak Street, and Fleetwood Avenue grade crossings of the railroad, and under section 62 of the Railroad Law it is

Ordered: 1. That the Mount Vernon Avenue grade crossing of the New York and Harlem railroad (leased to and operated by The New York Central and Hudson River Railroad Company) in the city of Mount Vernon shall be changed from grade, and that said avenue shall be carried under said railroad in an undercrossing to be constructed under a changed line of said railroad, the center line of said undercrossing of said changed line of said railroad to coincide with the present center line of said avenue, and the undercrossing to be located at a point about three hundred and fifty feet west of the existing grade crossing of the existing line of railroad. Said undercrossing shall be seventy-five feet in width between abutments, and the clear headroom from the paved portion of the street to the lowest part of the bridge carrying the railroad shall be at least fourteen feet. The grades on the approaches to said undercrossing for a distance of one hundred and thirty feet on the east side shall be 4.65 per cent., and for a distance of eighty

feet on the west side shall be 1.98 per cent. The undercrossing and the approaches thereto shall be paved in accordance with the data shown on the general plan, Applicant's Exhibit No. 2.

Ordered: 2. That the Oak Street grade crossing of the New York and Harlem railroad (leased to and operated by The New York Central and Hudson River Railroad Company) in the city of Mount Vernon shall be changed from grade, and that said street shall be carried under said railroad in an undercrossing to be constructed under a changed line of said railroad, said undercrossing of said changed line of said railroad to be not in the present line of the street but at a point a short distance north of the present line of said street, as shown on blue-print plan, Applicant's Exhibit No. 2; the object being that Oak street shall be carried under said changed line of said railroad in a practically straight line to meet Sherwood avenue, Yonkers; the said point of undercrossing of said changed line of railroad to be located about three hundred and fifty feet west of the existing grade crossing by Oak street of the existing line of railroad. Said undercrossing shall be fifty feet in width between abutments, and the clear headroom from the paved portion of the street to the lowest part of the bridge carrying the railroad shall be at least fourteen feet. The grades on Oak street, beginning on the west line of Railroad avenue, shall be as given in the following consecutive order: 12.702 per cent. to a point near the west line of West avenue; 0.30 per cent. to the west end of the proposed new Bronx river bridge; and 2.50 per cent. to an intersection with the present street surface, all as shown upon the general plan, Applicant's Exhibit No. 2. The undercrossing and the approaches thereto shall be paved in accordance with the data shown on the general plan, Applicant's Exhibit No. 2.

Ordered: 3. That the Fleetwood Avenue grade crossing of the New York and Harlem railroad (leased to and operated by The New York Central and Hudson River Railroad Company) in the city of Mount Vernon shall be changed from grade, and that said avenue shall be carried over said railroad on a steel bridge at a point about five hundred and fifty feet south of the existing grade crossing of said railroad by said Fleetwood avenue. The clear width of the roadway of the bridge shall be twenty feet, and the distance between railings on its approaches shall be thirty feet. The grades on Fleetwood avenue shall be, beginning at station 3+30 on the street on the east side of the tracks, as given in the following consecutive order: 0.00 per cent. for two hundred and forty-seven feet; 7 per cent. to east end of bridge; 0.00 per cent. for about one hundred and thirty-two feet; 7 per cent. to station 4+85 on the west side of the tracks; and 0.6 per cent. to station 7+05 on the west side of the tracks, all as shown upon the general plan, Applicant's Exhibit No. 4. At this point the line of railroad is not changed, but there will be four tracks instead of the existing two tracks.

Ordered: 4. That the railroad company having formally consented thereto, the bridge to be constructed over the changed channel of the Bronx river shall be fifty-five feet instead of forty-five feet wide.

Ordered: 5. That the highway bridge to be provided over the Bronx river at the entrance to the Oak Street undercrossing shall have a solid floor.

Ordered: 6. That the above changes and other changes in connection therewith not specifically described above, but to be made under this order, shall be made substantially as shown on four blue-print plans which are attached to this order on file in the office of this Commission, and which are marked in this proceeding:

- "Applicant's Ex. No. 1, Aug. 3, 1905, G. C. Case No. 545-K. F. C."
- "Applicant's Ex. No. 2, Aug. 3, 1905, G. C. Case No. 545-K. F. C."
- "Applicant's Ex. No. 3, Aug. 3, 1905, G. C. Case No. 545-K. F. C."
- "Applicant's Ex. No. 4, Aug. 3, 1905, G. C. Case No. 545-K. F. C."

Except that, as hereinbefore stated, this Commission orders nothing in relation to the Bradley Street or DeMilt Avenue crossings in New York city, Bradley street being marked "Mechanic" and "South" street on the plan and shown thereon as in Mount Vernon, whereas it is in the city of New York.

[See resolutions following Case No. 253, next preceding.]

[Case No. 441]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,

Commissioners.

In the matter of the Petition of THE LONG ISLAND RAIL-ROAD COMPANY under section 62 of the Railroad Law, as to changing the Broad Hollow road highway grade crossing of said company's railroad in the town of Babylon, Suffolk county, to an undercrossing.

Appearances:

James F. Keany for The Long Island Railroad Company.

A. P. Whitson, highway commissioner of town of Huntington.

Charles E. Smith, former highway commissioner town of Babylon.

G. P. Williams, John Grieble, highway commissioners town of Babylon, ap-peared in person.

Eduard Daily, supervisor town of Babylon, in person.

Daniel J. Conlon, J. B. Cooper, jr., William G. W. Irmisch, Henry A. Brown, and Frank T. Wells, members of town board of Babylon, appeared in person.

Samuel P. Hildreth and Frank T. Wells appeared as attorneys for town board and highway commissioners.

This petition, under section 62 of the Railroad Law, by The Long Island Railroad Company, was filed with the former Board of Railroad Commissioners on November 12, 1906, and came to this Commission by operation of statute. It alleges that public safety requires that the Broad Hollow road highway grade crossing of the petitioner's single-track railroad in the town of Babylon, Suffolk county, situated at a point about five thousand four hundred feet easterly from the Farmingdale station on said railroad, shall be changed from grade to an undercrossing to be located substantially at the point of the present grade crossing. A public hearing on the petition, after notice as required by the statute, was held by Commissioner Sague in Babylon on Sep-tember 11, 1908. Evidence as to the danger of the grade crossing and the construction of an undercrossing instead was presented. There was some opposition on the score of cost to the work being done at the present time. It appeared that the highway in question may be improved under the state aid act. It was suggested at the hearing that the width of the undercrossing be made forty feet instead of the thirty feet provided by the plan submitted by the petitioner, and the petitioner subsequently notified the Commission that if the extra width is provided it would bear the extra cost, which is estimated to be about one thousand dollars. Upon the evidence, and after due deliberation, the Commission finds that public safety requires that this crossing shall be changed from grade to an undercrossing of the railroad; and therefore under section 62 of the Railroad Law it is

Ordered: 1. That the crossing at grade of the Long Island single-track rail-road by the Broad Hollow road highway in the town of Babylon, Suffolk county, at a point about five thousand four hundred feet easterly from the Farmingdale station on said railroad, shall be changed from grade to an under-crossing of said railroad, said undercrossing to be located substantially at the point of the present grade crossing.

Ordered: 2. That said undercrossing shall be forty feet wide between abutments of the bridge carrying the railroad, and that the clearance from the highway to the lowest part of said bridge shall be fourteen feet; that the

difference in cost due to making the undercrossing forty feet wide instead of thirty feet shall be borne entirely by The Long Island Railroad Company.

Ordered: 3. That detail plans and specifications for said work shall be submitted to this Commission by the company as soon as practicable from the date of this order.

Ordered: 4. That during the construction of said undercrossing a temporary way to cross the railroad at grade shall be provided nearby.

[Case No. 96]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of WESTERN NEW YORK AND PENNSYLVANIA TRACTION COMPANY for a crossing of the railroad of the Erie Railroad Company, and the Nypano Railroad Company, leased to and operated by the Erie Railroad Company, in the village of Salamanca, Cattaraugus county, N. Y.

After due deliberation, it is

Ordered: That the application of the Western New York and Pennsylvania Traction Company for a crossing of the railroads of the Erie Railroad Company and Nypano Railroad Company, in the village of Salamanca, be discontinued on the records of this Commission, attorneys in interest having stipulated that the selection of another route renders this proceeding unnecessary.

[Case No. 96]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
Commissioners.

In the matter of the Petition of THE LAKE SHORE AND MICHIGAN SOUTHERN RAILWAY COMPANY and the TOWN BOARD OF THE TOWN OF HAMBURG, Erie county, as to changing the Big Tree highway grade crossing of said company's railroad in said town to an undercrossing.

Appearances:

Jloyt & Spratt for The Lake Shore and Michigan Southern Railway Company;

John Schoepflin, supervisor, for the town of Hamburg;

W. J. Bergen for The New York, Chicago and St. Louis Railroad Company.

This petition, under section 62 of the Railroad Law, by The Lake Shore and Michigan Southern Railway Company, and the town board of the town of Hamburg, Erie county, was filed with this Commission on July 22, 1907.

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It alleges that public safety requires that the Big Tree highway grade crossing of said company's four-track railroad, about one mile east of Athol Springs in said town, shall be changed from grade to an undercrossing to be located substantially at the point of present grade crossing.

A public hearing on the petition, after notice as required by the statute, was held by Commissioners Stevens and Olmsted in the city of Buffalo on August 7, 1908, at which evidence as to the danger of the grade crossing and the proposed change was heard. Upon the evidence, and after due deliberation, this Commission finds that public safety requires that this crossing shall be changed from grade to an undercrossing of the railroad; and therefore under section 62 of the Railroad Law it is

Ordered: 1. That the crossing at grade of the Lake Shore and Michigan Southern four-track railroad by the Big Tree highway, about one mile east of Athol Springs, in the town of Hamburg, Erie county, shall be changed from grade to an undercrossing of said railroad, which undercrossing shall be located substantially at the point of present grade crossing, and shall be constructed substantially as shown by plans in three sheets and specifications submitted to this Commission by said company and approved by this Commission October 7, 1908.

Ordered: 2. That during the construction of said undercrossing a temporary way to cross the railroad at grade shall be provided nearby.

[Case No. 491]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the TOWN BOARD AND HIGHWAY COMMISSIONERS OF THE TOWN OF WALL-KILL, Orange county, under section 60 of the Railroad Law, as to the Erie and Jersey Railroad crossing a highway in said town at a point known as crossing B-13.

Appearances for petitioners: Wm. B. Royce, attorney for Erie and Jersey Railroad; F. L. Stuart, chief engineer Erie and Jersey Railroad; C. K. Conard, division engineer Erie and Jersey Railroad; W. T. Shaw, attorney for the town of Wallkill, Orange county; Town Board: John J. Crane, town clerk; Willard M. Clark, supervisor; justices: William Bull, W. Harlow, Charles R. Clawson, and Erving A. Dunham; highway commissioners: Seely Green, William H. Puff; and a number of citizens favoring the petition; G. N. Orcutt, general attorney for Erie Railroad Company.

For contestants: George W. Ackerly, Crystal Run, N. Y.; Dr. A. C. San-tee, Scotchtown, N. Y.; William F. Brown, Crystal Run, N. Y.; Charles Mackinson, Middletown, N. Y., R. F. D. No. 2; Emmet Spears, Middletown, N. Y., R. F. D. No. 3; Peter Osborne, Middletown, N. Y., R. F. D. No. 2; Denton White, Crystal Run, N. Y.

On November 8, 1908, the former Board of Railroad Commissioners determined, under section 60 of the Railroad Law, that the Erie and Jersey Railroad, now under construction, should cross the highway leading from Goshen to Bloomingburg, in the town of Wallkill, Orange county, at a point near station 1020 plus 55 on the profile map of said railroad filed with said Board, the crossing being known in the case as B-13, below the grade of said highway.

On July 27, 1908, there was filed with this Commission a petition by the town board and highway commissioners of said town reciting that "the crossing in such order referred to and to which this petition applies was and is for convenience designated as B-13. At the time the application was made to the Board of Railroad Commissioners by Erie and Jersey Railroad Company, that company proposed an undercrossing: that is, to carry the highway under the railroad at the point in question, which point is the place where the highway from Goshen to Bloomingburg crosses the filed center line of Erie and Jersey Railroad near station 1020 plus 55. At that time the sentiment of the citizens of the town of Wallkill generally, and of its town officers, was opposed to the carrying of the highway under the railroad, and favored the carrying of the highway over the railroad substantially in the manner directed in the order above set forth. A further consideration of the matter has lead your petitioners to believe that it is for the best interests of the town and of the traveling public that the highway should be carried under the railroad and that the order made by the Board of Railroad Commissioners and above set forth should be modified so as to provide for the carrying of the highway under the railroad in accordance with the plan hereto annexed and made a part hereof, which plan is dated March 13th, 1906."

A hearing on this petition was held by Commissioner Sague of this Commission in Middletown on October 15, 1908. After consideration of the evidence at the hearing, this Commission is convinced that it should modify the said determination of the Board of Railroad Commissioners; and therefore it is

Ordered: That the determination of the Board of Railroad Commissioners, under section 60 of the Railroad Law, dated November 8, 1906, in reference to the above described proposed crossing by the Erie and Jersey Railroad of the highway leading from Goshen to Bloomingburg in the town of Wallkill, Orange county, the point of crossing being near station 1020 plus 55 on a profile map of said railroad filed with this Commission, the crossing being known in this proceeding as B-13, be and it is hereby modified so that said railroad shall not cross said highway at said point below the grade of the highway, but shall cross said highway at said point above the grade of the highway, and that the highway shall be carried under said railroad at said point; that said undercrossing shall have a clear width between abutments of twenty feet; that the headroom shall be square, and that the clearance from surface of highway to the lowest part of the bridge carrying the railroad shall be twelve feet; that the grades of the highway approaching said undercrossing shall be as may be agreed upon between the highway commissioners of said town and said railroad company; such grades, however, to be such that the vertical clearance in the undercrossing shall be that fixed hereinabove.

[Case No. 337]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Joint Petition and Joint Supplemental Petition of the TOWN BOARD OF THE TOWN OF VERONA, Oneida county, THE LEHIGH VALLEY RAILWAY COMPANY, and the LEHIGH VALLEY RAILROAD COMPANY, under section 62 of the Railroad Law.

Modified Order.

On July 13, 1908, an order of this Commission in the above entitled matter was entered, the first provision of which order is:

"Ordered; 1. That the Creek Road highway grade crossing of the Lehigh Valley railway (leased to and operated by the Lehigh Valley Railroad Company) situated at a point immediately north (east) of the Sylvan Beach station on said railway, in the town of Verona, Oneida county, shall be closed and discontinued; that a new piece of highway about four hundred and forty feet long, and connecting the Creek Road highway and the Lake Road highway, shall be constructed about ninety feet west of said station; that the Lake Road highway shall be constructed at grade across said railway at a point immediately south of said station."

On November 9, 1908, there was filed with this Commission a joint petition by the said petitioners, asking for a modification of said order and setting forth:

"Third: That through inadvertence on the part of your petitioners the course of said proposed new highway as laid out and authorized by said order, included in its bounds a shed and barn which it would be necessary to remove if said highway is laid along said course."

"Fourth: That your petitioners have entered into a supplemental agreement modifying the original agreement so as to provide that this new highway shall deviate toward the west as it runs north and avoid the shed and barn, making its northerly end some 275 feet north of the point indicated in the original agreement and on the blue print thereto annexed, and making said new road about 700 feet long instead of 440 feet long, and that a copy of said supplemental agreement is hereto annexed."

Upon this state of facts, and after due deliberation, it is

Ordered: That this Commission under section 62 of the Railroad Law hereby modifies its said order of July 13, 1908, so that the first provision thereof shall read as follows:

Ordered: 1. That the Creek Road highway grade crossing of the Lehigh Valley railway (leased to and operated by the Lehigh Valley Railroad Company) situated at a point immediately north (east) of the Sylvan Beach station on said railway, in the town of Verona, Oneida county, shall be closed and discontinued; that a new piece of highway about seven hundred feet long, and connecting the Creek Road highway and the Lake Road highway, shall be constructed west of said station, and that the course of said new piece of highway be changed from that shown on the blue-print plan on file with this Commission in this matter dated January, 1908, so that said new piece of highway shall deviate from its course as shown on said plan, toward the west as it runs north and avoid the shed and barn indicated by parallelograms on said blue-print plan, and that the northerly end of said new piece of highway, in consequence of said deviation, shall be about two hundred and seventy-five feet north of its end as shown on said blue-print plan; that the Lake Road highway shall be constructed at grade across said railway at a point immediately south of said station.

[See Case No. 337, July 13, 1908, page 238.]

[Case No. 263]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSIED,
Commissioners.

In the matter of the Petition of the VILLAGE OF DEPEW,
Erie county, under section 61 of the Railroad Law,
as to Penora street in said village crossing the Erie
railroad.

Appearances: *S. Jay Ochart* for the petitioner; *J. R. Benton* for the Lands Company of Depew; *Emmet Dworsnowski, Frank Rosinski, and Mrs. Waszkowski*, property owners, appeared in person; *Levant D. Lester* for Joseph

Wisniewski, a property owner; *Moot, Sprague, Brownell & Marcy* (Mr. Marcy appearing) for the Erie Railroad Company; *William H. Hotchkiss* for the Lands Company of Depew.

This petition, under section 61 of the Railroad Law, by the village of Depew, Erie county, was filed with this Commission on March 16, 1908. It asks for an order directing whether Penora street in said village shall cross the Erie railroad over, under, or at the grade of said railroad, which at this point consists of two main tracks. Public hearings in the matter, after notice as required by the statute, were held by this Commission in the city of Buffalo on April 3, 24, and 30, and October 30, 1908. Upon the aforesaid petition and accompanying papers, and statements and exhibits at the hearings, and after due deliberation, it is

Ordered: 1. That this Commission hereby directs, under section 61 of the Railroad Law, that the new portion of Penora street in the village of Depew, Erie county, to wit: that portion thereof crossing the tracks and right of way of the Erie Railroad Company and described in the petition herein, shall pass under said tracks and right of way of said Erie Railroad Company.

Ordered: 2. That the said Erie Railroad Company be and it is hereby directed, within thirty days from the date of the service upon it of a certified copy of this order, to make and file with this Commission plans and specifications for constructing the said street under said tracks and right of way of said railroad.

Upon receipt of such plans and specifications this Commission will then proceed to determine the manner and method in which the said street shall be carried under the said railroad and the grade or grades of such undercrossing.

[Case No. 549]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the **ERIE AND JERSEY RAILROAD COMPANY** under section 60 of the Railroad Law as to its railroad crossing a highway in the town of Wallkill, Orange county. Modified Order.

Appearances:

William R. Royce, attorney for the Erie and Jersey Railroad Company, petitioner.

J. Floyd Halstead, attorney for the good roads committee of the board of supervisors.

A. C. N. Thompson, attorney for Mr. and Mrs. Charles Lawrence.

Town Board: Supervisor Willard M. Clark; Town Clerk John J. Crane; Justices of the Peace William Bull, C. W. Harlow, C. R. Clawson, and Erving A. Dunham.

Highway Commissioners: Seely Green, Wm. H. Puff, and Charles Winfield Hoyt.

The former Board of Railroad Commissioners having on the 11th September, 1906, determined under section 60 of the Railroad Law that the Erie and Jersey railroad now under construction should cross under the highway called the Middletown and Montgomery turnpike in the town of Wallkill, Orange county, at a point near station 912 plus 88 on the map of said railroad filed with said Board and now on file with this Commission, the crossing being known in the case as B-11; and the determination of said Board being that "the highway to be carried over the tracks of the Erie and Jersey railroad

upon a steel structure, twenty feet wide, of solid floor construction, of the same character as adopted by the State Engineer in the case of state roads, in accordance with plan filed with the Board, dated March 9, 1908, and now on file with the Board. In this connection, we think possible that the railroad may agree with the State Engineer on some change which will make the grade better; but this determination is made now according to this petition, and with the understanding that the railroad company shall file with the Board any additional plan that may be agreed upon between the State Engineer and the company"; and the Erie and Jersey Railroad Company having filed its petition with this Commission on the 17th October, 1908, reciting among other things as follows:

"Third, Erie and Jersey Railroad Company has agreed with the State Engineer upon a change in the manner of the crossing of said Middletown and Montgomery turnpike by the railroad of Erie and Jersey Railroad Company, which will improve the grade of said turnpike at said crossing. Said change in the manner of the crossing of said turnpike by said railroad, agreed upon as aforesaid, necessitates the abandonment of a portion of the present highway, including that portion thereof which, under the aforesaid determination of the Board of Railroad Commissioners, was to be crossed by the railroad of Erie and Jersey Railroad Company near station 912 plus 88 of its filed center line, and the construction of a new portion of highway which will be crossed by said railroad near station 921 of its filed center line, said highway to be carried over said railroad by an overhead bridge.

"Fourth, the change in the manner of the crossing of said turnpike by said railroad agreed upon as aforesaid by Erie and Jersey Railroad Company and the State Engineer is satisfactory to the board of supervisors of Orange county and has been duly authorized by said board. Said board of supervisors is willing to construct the new portion of highway made necessary by said change in the manner of crossing and Erie and Jersey Railroad Company is willing to furnish the right of way for such portion thereof as passes over the lands of Erie and Jersey Railroad Company and Erie Land and Improvement Company, to construct the bridge which will carry said highway over its railroad, and to pay to said board of supervisors of Orange county the sum of seven thousand dollars (\$7000) as its contribution to the cost of the construction of said new portion of highway.

"Fifth, the plan of the aforesaid change in the manner of the crossing of said turnpike by said railroad is approved in writing by the town board and the highway commissioners of the town of Wallkill, Orange county, and by the State Engineer, is hereto attached, and is hereby filed with the Public Service Commission in accordance with the understanding recited in the determination of the Board of Railroad Commissioners, hereinbefore referred to."

And a public hearing on said petition, after due notice, having been held by Commissioner Sague of this Commission at Middletown on the 9th November, 1908, at which the persons above named appeared; now, upon the aforesaid petition and the evidence taken at the hearing, and after due deliberation, it is

Ordered: 1. That the determination of the Board of Railroad Commissioners, dated September 11, 1908, in relation to the above described proposed crossing by the Erie and Jersey Railroad of the Middletown and Montgomery turnpike highway be and it is hereby modified so that said railroad shall not cross said highway at the point hereinbefore described, but shall cross under a changed line of said highway at a point near station 921 of the filed center line of said railroad.

Ordered: 2. That said highway shall be carried over said railroad at said point near said station 921 upon a steel bridge twenty feet wide and of solid floor construction of the same character as adopted by the State Engineer and Surveyor in the case of state roads.

Ordered: 3. That said Middletown and Montgomery turnpike shall be changed in location to the extent and on the lines shown on a blue-print plan attached to the petition in this matter and on file with this Commission, said plan being entitled: "E. & J. R. R. Plan and Profile Proposed Change of Line, Montgomery Turnpike, Town of Wallkill, Orange Co., N. Y. Scale: 1 in. equals 200 ft. Jan. 3, 1908. C. K. Conard, Asst. Engr."; and bearing the following indorsements: "Approved by W. M. Clark, supervisor; John J. Crane, town clerk; E. A. Dunham, William Bull, C. W. Harlow, Chas. R. Clawson, Justices of the Peace; Seely Green, C. W. Hoyt, Wm. H. Puff, Highway Commissioners. Approved, F. L. Stuart, Chf. Engr. E. & J. R. R. Co. Oct. 16th, 1908. Approved Oct. 2nd, '08, Frederick Skene, State Engineer and Surveyor."

[Case No. 436]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMPSTED,
Commissioners.

In the matter of the Application for the elimination
of highway grade crossings State road and Horseshoe
Lake road on the main line of the New York Central
and Hudson River railroad in the town of Stafford.

A hearing in the above entitled action having been held at Rochester, N. Y.,
on the 14th of October, 1908, and the proceeding having been further ad-
journed at that time to enable the engineer of this Commission to inspect
the ground personally; and such inspection having been made on the 16th
of October, 1908, at which A. H. Sutermeister, the engineer of grade crossings
of this Commission, was present, also members of the town board of the town
of Stafford, and J. W. Pfau, engineer of the New York Central and Hudson
River railroad; and the matter having been further adjourned to enable the
railroad company to present and file its modified plan for the elimination of
said grade crossings, and to file descriptions of the new highways to be laid
out, etc., and the same having been filed with this Commission on the 27th
of November, 1908; now, therefore,

Ordered: That the application of the town board of the town of Stafford,
Genesee county, be granted, and that said elimination be carried out in the
following manner:

1. That the highway known as the Horseshoe Lake road be closed and
discontinued as a public highway across the right of way of The New York
Central and Hudson River Railroad Company, but not to be closed or dis-
continued as such public highway elsewhere than over and across such
right of way; such discontinuance to take effect when the overhead bridge
hereinafter provided for is completed and ready for use.

2. That the highway known as the State road be closed and discontinued
as a public highway from the northerly line of the right of way of The
New York Central and Hudson River Railroad Company southerly across
said right of way to a point about three hundred and twenty feet southerly
from the said right of way, measuring in the center of the highway to the
northerly line of the highway hereinafter directed to be laid out and opened
in lieu of said crossings herein closed.

3. That a new highway be opened and laid out, the lands therefor being
bounded and described as follows:

*South of the New York Central and Hudson River railroad, beginning at
a point in the southerly line of the highway known as the Old State road
distant southeasterly 161.5 feet at right angles from the line of stone
monuments set midway between the inner rails of the two main west-
bound passenger and freight tracks of the New York Central and Hudson
River railroad: (1) and running thence easterly along the southerly line
of said highway 263 feet more or less to a point distant 261.5 feet at
right angles from said line of monuments; (2) thence southwesterly
parallel with said line of monuments 623 feet more or less to the division
line between lands of Mrs. Sarah Vallett and Mrs. Alexina Noel; (3) thence
southerly along said division line 36 feet more or less; (4) thence westerly
along a division line between the lands of Mrs. Sarah Vallett and Mrs.
Alexina Noel 25 feet more or less; (5) thence westerly along the last
named division line 20 feet more or less; (6) thence south 43° 15' west 74*

feet; (7) thence south 6° east 138 feet; (8) thence south $3^{\circ} 50'$ west 403 feet more or less to the division line between the lands of Mrs. Sarah Vallett and G. Douglas; (9) thence north $83^{\circ} 50'$ west along said last above mentioned division line 25.8 feet more or less to the easterly line of the highway known as the Horseshoe Lake road; (10) thence north $3^{\circ} 50'$ east along the easterly line of said highway 24.8 feet more or less to an angle therein; (11) thence north $83^{\circ} 50'$ west along the northerly line of said highway 74.5 feet more or less to a point distant westerly 100 feet at right angles from the eighth described course; (12) thence north $3^{\circ} 50'$ east parallel with the eighth described course 365 feet more or less to a point distant westerly 100 feet at right angles from the 7th described course; (13) thence north 6° west parallel with the 7th described course 121 feet more or less; (14) thence north $46^{\circ} 50'$ west 83 feet more or less to the boundary between the lands of Mrs. Sarah Vallett and Mrs. Alexina Noel; (15) thence westerly along said last above mentioned dividing line 117 feet more or less to the southeasterly exterior line of land of The New York Central and Hudson River Railroad Company; (16) thence northeasterly along said exterior line parallel with a line of stone monuments hereinbefore mentioned 184 feet more or less; (17) thence southeasterly at right angles with said line of monuments 118 feet; (18) thence northeasterly parallel with said line of monuments 492 feet to the place of beginning.

North of the New York Central and Hudson River railroad, beginning at a point in the northwesterly exterior line of land of The New York Central and Hudson River Railroad Company and in the southerly line of the highway known as the Old State road, said point being distant 56.5 feet at right angles from the line of stone monuments set midway between the inner rails of the two main westbound passenger and freight tracks of The New York Central and Hudson River Railroad Company: (1) and running thence southwesterly along said exterior line parallel with said center line 66 feet; (2) thence westerly 223 feet to the southerly line of said highway; (3) thence easterly along the southerly line of said highway 281 feet more or less to the place of beginning; also beginning at a point in the northerly line of the highway known as the Old State road distant westerly 86.5 feet as measured along said northerly line from the northwesterly exterior line of land of The New York Central and Hudson River Railroad Company said exterior line being parallel with and distant 56.5 feet at right angles from the line of stone monuments set midway between the inner rails of the two westbound passenger and freight tracks of the New York Central and Hudson River Railroad: (1) and running thence westerly and along the northerly line of said highway 306 feet; (2) thence easterly 295 feet; (3) thence southeasterly and at right angles to the exterior line of the lands of The New York Central and Hudson River Railroad Company 31.5 feet to the point of beginning.

4. That said new highway be carried over the right of way of the New York Central and Hudson River railroad upon a through plate girder metal viaduct in three spans with a timber floor, the lowest point of such part of the superstructure as is over the tracks to be at a height of twenty-one feet from the top of the rails; the clear width between insides of wheelguards to be twenty feet; the surfaces of the new approaches shall be paved with gravel, and a substantial timber railing shall be built where the embankments are two feet or more in height, the general layout to be followed being substantially as shown upon a general plan submitted in this proceeding and on file in this office, said plan being entitled "Elimination of grade crossings, Horseshoe Lake and Old State roads, town of Stafford (Batavia), dated August 22, 1907, issue No. 2, Revised October 19, 1908."

APPENDIX F: ORDERS

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[Case No. 437]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st
day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Application of the TOWN BOARD
OF THE TOWN OF CANEADEA as to the closing and
discontinuance of the River Road and Mill Road grade
crossings of the Western New York and Pennsyl-
vania railway and the construction of an overhead
bridge, section 62, Railroad Law.

The petitioner in this proceeding having filed with this Commission a copy
of resolution of the town board of Caneadea under date of November 17,
1908, certified to by C. B. Franklin, town clerk, reading as follows: "At a
meeting of the town board of Caneadea it was decided to postpone indefi-
nitely the elimination of the two grade crossings in this town now under
consideration";

Ordered: That the case be closed on the records of the Commission.

[Case No. 172]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 2d day
of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the TOWN BOARD OF
THE TOWN OF BRIGHTON, Monroe county, under section
62 of the Railroad Law, as to changing the Clover
Street extension highway grade crossing of the New
York Central and Hudson River railroad in said town
to an overhead bridge crossing of the railroad.

After due deliberation, it is

Ordered: That upon the opinion of Ledyard P. Hale, Counsel for this
Commission, and all the papers and proceedings in this case, the petition
herein is hereby denied and the proceeding dismissed on the ground that
the same should have been brought under section 61 of the Railroad Law.

[Case No. 480]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the GENESEE RIVER RAILROAD COMPANY for modification of an order of the Board of Railroad Commissioners of the State of New York dated Oct. 10, 1906, determining the manner in which said company's railroad shall cross streets, avenues, and highways in Livingston and Allegany counties.

The petitioner in the above proceedings having at the hearing held herein on the 6th day of November, 1908, agreed that in case of favorable action upon the petition by this Commission, permitting it to construct an under-grade crossing or subway where its railroad crosses the highway leading from Cuba to Belfast, it would install a sheet-iron or other suitable and adequate covering to protect the roadway from the droppings of trains, and maintain the drainage of the subway and the drainage system for one year after the completion of construction of said subway, and if by such test the said drainage system was found to be insufficient to carry off the water from the subway, it would reconstruct the said drainage system so as to make it sufficient and adequate; and having filed with this Commission a stipulation to said effect; now, upon the aforesaid petition, the evidence at the hearing and said stipulation, and after due deliberation, it is

Ordered: That the order of the Board of Railroad Commissioners of the State of New York made under date of October 10, 1906, directing that the highway in the town of Cuba leading from Cuba to Belfast near station 1628 plus 1 be carried over the grade of the railroad, be and hereby is modified so as to read as follows:

31. (Exhibit AD.) Town of Cuba: Highway from Cuba to Belfast near station 1628 plus 1 of the filed center line of Genesee River Railroad.

The highway shall be carried under said railroad by an under-grade crossing with a clear width of 30 feet, having a roadway of 24 feet in width and a sidewalk on one side 6 feet in width, and a vertical clearance above the crown of the highway, under the bridge structure, of 12 feet, substantially as shown on a plan offered in evidence on the hearing herein and filed with this Commission, marked Exhibit No. 1, which plan is dated July 30, 1907, corrected September 6, 1907, revised May, 1908.

[Case No. 582]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Petition of THE BUFFALO SOUTHERN RAILWAY COMPANY, under section 68 of the Railroad Law, as to petitioner's railroad crossing the railroad of the Western New York and Pennsylvania Railroad Company and Pennsylvania Railroad Company in Seneca street in the town of West Seneca, Erie county.

The Buffalo Southern Railway Company having on November 20, 1908, filed with this Commission its petition, under section 68 of the Railroad Law, for an order determining whether petitioner's street surface railroad shall cross the steam railroad of the Western New York and Pennsylvania Railway Company and Pennsylvania Railroad Company in Seneca street in the town of West Seneca, Erie county, above, below, or at grade of said steam railroad, and determining the proportion of expense of such crossing to be paid by each railroad; and a hearing on said petition having been held by Commissioners Stevens and Olmsted of this Commission in the city of Buffalo on November 27, 1908, *Moot, Sprague, Brownell & Marcy* appearing for the petitioner; *William J. Evans* appearing for the town of West Seneca; and *Frank Rumsey* appearing for the Western New York and Pennsylvania Railway Company and the Pennsylvania Railroad Company; now, upon the aforesaid petition and accompanying papers and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under and pursuant to section 68 of the Railroad Law the street surface railroad of The Buffalo Southern Railway Company shall cross the steam railroad of the Western New York and Pennsylvania Railway Company and the Pennsylvania Railroad Company in Seneca street in the town of West Seneca, Erie county, above the grade of the said steam railroad.

Ordered: 2. That The Buffalo Southern Railway Company be and it is hereby authorized and permitted to lay, maintain, and operate its street surface railroad across the present wooden highway bridge carrying Seneca street over the steam railroad of the Western New York and Pennsylvania Railway Company and the Pennsylvania Railroad Company, until said bridge shall be rebuilt or superseded by a new structure: upon the express condition, however, that The Buffalo Southern Railway Company shall not operate cars over said wooden bridge which shall impose thereon a greater weight, including both car and load, than sixteen tons, said load to be distributed on two trucks, distance between truck axles being not less than four feet and distance between truck centers being not less than nineteen feet.

Ordered: 3. That the expense of such crossing shall be borne as follows: Such work as should be done to put said wooden bridge in proper condition to carry the load herein authorized shall be done by the said The Buffalo Southern Railway Company at its own expense, and in a manner satisfactory to the Pennsylvania Railroad Company; provided that such strengthening or rebuilding as may be deemed necessary at any future time by the Pennsylvania Railroad Company shall be done solely at the cost and expense of the Pennsylvania Railroad Company to such extent and as required by the franchise granted to said Pennsylvania Railroad Company by the town of West Seneca.

Ordered: 4. That the matter of providing for a permanent crossing by The Buffalo Southern Railway Company above the grade of the tracks of the steam railroad upon the rebuilding of the present wooden bridge, shall be left open for determination by this Commission at the time of the construction of the new and permanent bridge.

[Case No. 583]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of THE BUFFALO SOUTHERN RAILWAY COMPANY, under section 68 of the Railroad Law, as to petitioner's railroad crossing The Terminal Railway of Buffalo in Seneca street in the town of West Seneca, Erie county.

The Buffalo Southern Railway Company having on November 20, 1908, filed with this Commission its petition, under section 68 of the Railroad Law, for an order determining whether petitioner's street surface railroad shall cross the steam railroad of the Terminal railway company of Buffalo in Seneca street in the town of West Seneca, Erie county, above, below, or at grade of said steam railroad, and determining the proportion of expense of such crossing to be paid by each of said railroads; and a hearing on said petition having been held by Commissioners Stevens and Olmsted of this Commission in the city of Buffalo on November 27, 1908, *Moot, Sprague, Brownell & Marcy* appearing for petitioner; *William J. Evans* appearing for the town of West Seneca; and *Hoyt & Spratt* appearing for The Terminal Railway of Buffalo; now, upon the aforesaid petition and accompanying papers and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under and pursuant to section 68 of the Railroad Law the street surface railroad of The Buffalo Southern Railway Company shall cross the steam railroad of The Terminal Railway of Buffalo in Seneca street in the town of West Seneca, Erie county, above the grade of said steam railroad.

Ordered: 2. That the said The Buffalo Southern Railway Company be and it is hereby authorized and permitted, upon the completion of the work for the alteration and strengthening of the highway bridge now existing over and across the tracks of the said Terminal railway in said highway, as provided for in the plans agreed upon by the engineers of said The Buffalo Southern Railway Company and said the Terminal railway company of Buffalo, and submitted to this Commission, to lay, maintain, and operate its street surface railroad across the said present highway bridge carrying Seneca street over the steam railroad of The Terminal Railway of Buffalo.

Ordered: 3. That the permission given by number two of this order is upon the following express conditions: (a) Until the rebuilding of the existing wooden highway bridge in said Seneca street over the tracks of the Western New York and Pennsylvania railroad, no car shall be operated by the said The Buffalo Southern Railway Company over the said highway bridge over the tracks of the Terminal railway with a greater weight, including both car and load, than sixteen tons, said load being distributed on two trucks, distance between the truck axles being not less than four feet and

distance between truck centers being not less than nineteen feet; (b) that after the rebuilding of the said wooden highway bridge over the tracks of the Western New York and Pennsylvania railroad, the said The Buffalo Southern Railway Company shall not in any event operate cars over said bridge across the tracks of the Terminal railway company which shall impose thereon a greater weight, including both car and load, than twenty-four tons, said weight to be distributed on two trucks, distance between truck axles being not less than four and one-half feet and distance between truck centers being not less than nineteen and one-half feet.

Ordered: 4. That the expense of said crossing shall be borne in accordance with the terms of the contract between The Buffalo Southern Railway Company and the Terminal railway company of Buffalo.

Ordered: 5. That the matter of providing for the permanent crossing by The Buffalo Southern Railway Company above the grade of the Terminal railway upon the rebuilding of the present bridge, shall be left for the determination of this Commission at the time of the construction of the new and permanent bridge.

[Case No. 102]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of Applications for the elimination of grade crossings in the village of Ossining.

Whereas, There are now pending, or will come before this Commission, applications for the elimination of grade crossings on the Hudson and Harlem divisions of the New York Central and Hudson River railroad within the so called electric zone, at the following places:

Harlem Division: Bronxville, Scarsdale, Hartsdale, White Plains;
Hudson Division: Yonkers, Hastings, Irvington, Tarrytown, Ossining; and

Whereas, A personal inspection by the Commission has shown that in many of such eliminations the only practicable way of accomplishing the same is by carrying the highway over the railroad upon a bridge or viaduct; that in some of such eliminations it is desirable in order to avoid heavy grades to have the vertical clearance as little as may be; that the expense will be very largely increased by such clearances being made twenty-one feet or more; and

Whereas, This Commission has at all times been opposed to vertical clearances which would endanger trainmen required to be upon the tops of cars, but is now advised that under the conditions prevailing in said electric zone it may be possible to have vertical clearances less than twenty-one feet without adding appreciably to the existing and unavoidable danger; and

Whereas, It appears to be desirable to have a general hearing upon the subject of vertical clearances before determining any of the above recited applications;

Resolved, That a general hearing be had at the hearing room in the Engineering Societies Building, No. 29 West Thirty-ninth street, in the city of New York, on the 18th day of January, 1909, at 10 o'clock in the forenoon, for the consideration of the subject of vertical clearances in all of the aforesaid cases; that the said railroad company, the municipal authorities in the several towns and villages, the citizens generally, the Brotherhood of Railroad Train-

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men, and all others interested, be requested to appear at said hearing and give such evidence and make such suggestions as they deem pertinent;

That a copy of this resolution be served upon the railroad company, which is hereby requested to give full and complete evidence regarding the actual handling of freight trains within the territory named, so far as relates to the actual or required presence of trainmen and brakemen on the tops of cars;

That copies of this resolution be forwarded to the local authorities, and offered to the local press for publication; and that the Brotherhood of Railroad Trainmen be requested to have representatives present at said hearing.

APPENDIX G.

IN THE MATTER OF REPARATION FOR EXCESS CHARGES BY
RAILROAD CORPORATIONS.



APPENDIX G.

[Case No. 462]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

W. P. HAMILTON, Complainant, *against* ERIE RAILROAD COMPANY, Defendant. Authority to refund \$17.30.

Upon a shipment made on October 5, 1907, of one carload of manure over the Erie railroad from Monroe to Sterlington within this State, the defendant, Erie Railroad Company, exacted from complainant, W. P. Hamilton, for the transportation of said carload of manure the sum of \$29.30, the same being four cents per hundred pounds upon a weight of 73,240 pounds. Such rate of four cents per hundred pounds was in effect under defendant's tariff P. S. C., 2 N. Y., No. 750, filed with this Commission September 27, 1907. Prior to July 1, 1907, shipments of manure moved over defendant's line from Monroe to Sterlington at the rate of \$12.00 per car. Effective December 9, 1907, the said rate of \$12.00 per car was again put in force by defendant, and on January 9, 1908, said rate was superseded in defendant's tariffs by a rate of thirty cents per net ton on a minimum carload of forty tons. Complainant claims, and defendant admits, that the rate of four cents per hundred pounds was excessive, and defendant further admits that the rate of thirty cents per net ton on minimum carload of forty tons which was made effective January 9, 1908, and is equal on a minimum carload to the rate of \$12.00 per car put in effect December 9, 1907, would be a just and reasonable charge applied to the shipment in question. It appearing to the Commission that reparation to the extent of the difference between \$29.30, the amount collected upon said shipment, and \$12.00, the sum produced by a rate of thirty cents per net ton upon a minimum carload of forty tons, that is to say \$17.30, should be allowed to complainant upon the said shipment; it is

Ordered: That the complainant, W. P. Hamilton, is entitled to recover from the defendant, Erie Railroad Company, the sum of \$17.30 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$29.30 for transportation of the shipment aforesaid.

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[Case No. 479]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 17th day
of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

WASHBURN-CROSBY COMPANY, Complainant, *against* Authority to
PENNSYLVANIA RAILROAD COMPANY, Defendant. refund \$5.35.

Upon a shipment made on July 22, 1908, of one carload of flour and feed over the Pennsylvania railroad from Buffalo to Franklinville within this State, the defendant, Pennsylvania Railroad Company, exacted from complainant, Washburn-Crosby Company, for the transportation of said carload of flour and feed the sum of \$40.14, the same being seven and one-half cents per hundred pounds upon a weight of 53,528 pounds. Such rate of seven and one-half cents per hundred pounds was in effect under defendant's tariff S. S. P. S. C., 2 N. Y., No. 401, filed with this Commission June 1, 1908. On the date on which the shipment moved, defendant had in effect a rate of six and one-half cents per hundred pounds on grain products between Buffalo, N. Y., and Olean, N. Y., Franklinville being intermediate between said points. On August 19, 1908, defendant filed Supplement No. 17 to S. S. P. S. C., 2 N. Y., No. 179, effective September 20, 1908, superseding the said rate of seven and one-half cents between Buffalo and Franklinville by a rate of six and one-half cents per hundred pounds. Complainant claims, and defendant admits, that the rate of seven and one-half cents per hundred pounds was excessive, and defendant further admits that the rate of six and one-half cents per hundred pounds which is to become effective September 20, 1908, would be a just and reasonable charge applied to the shipment in question. It appearing to the Commission that reparation to the extent of the difference between \$40.14, the amount collected upon said shipment, and \$34.79, the sum produced by a rate of six and one-half cents per hundred pounds, that is to say, \$5.35, should be allowed to complainant upon the said shipment; it is

Ordered: That the complainant, Washburn-Crosby Company, is entitled to recover from the defendant, Pennsylvania Railroad Company, the sum of \$5.35, as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$40.14 for transportation of the shipment aforesaid.

[Case No. 502]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 29th day
of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

JAMES AVERILL, JR., Complainant, *against* RUTLAND Authority to
RAILROAD COMPANY, Defendant. refund \$98.45.

Upon a shipment made on December 6, 1907, of ten carloads of anthracite coal over the Rutland railroad from Rouse Point to Champlain within this

State, the defendant, Rutland Railroad Company, exacted from complainant, James Averill, jr., for the transportation of said carloads of anthracite coal the sum of \$196.77, the same being at the rate of sixty cents per gross ton upon an aggregate carload weight of 734,400 pounds. Such rate of sixty cents per gross ton was in effect under defendant's tariff P. S. C., 2 N. Y., No. C-19 (New York Central and Hudson River Railroad Company issue), filed with this Commission October 1, 1907. Prior to August 23, 1908, shipments of anthracite coal moved over the Rutland railroad from Rouse Point to Champlain at the rate of twenty-five cents per gross ton, which rate was canceled on said date, and complainant up to the time of said shipment had no knowledge of such cancellation. Effective April 14, 1908, defendant established a rate of thirty cents per gross ton on the same commodity received via water at Rouse Point to Champlain, marked capacity of cars to govern minimum carload weights, as appears in defendant's tariff P. S. C., 2 N. Y., No. C-57 (New York Central and Hudson River Railroad Company issue). Complainant claims, and defendant admits, that the rate of sixty cents per gross ton was excessive, and defendant further admits that the rate of thirty cents per gross ton, marked capacity of cars to govern minimum carload weights, which was made effective April 14, 1908, would be a just and reasonable charge applied to the shipment in question. It appearing to the Commission that reparation to the extent of the difference between \$196.77, the amount collected upon said shipment, and \$98.32, the sum produced by the rate of thirty cents per gross ton upon an aggregate weight of 734,400 pounds, that is to say \$98.45, should be allowed to complainant upon the said shipment; it is

Ordered: That the complainant, James Averill, jr., is entitled to recover from the defendant, Rutland Railroad Company, the sum of \$98.45 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$196.77 for transportation of the shipment aforesaid.

[Case No. 503]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

CHARLES WAKEMAN, Complainant, *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, Defendant.

Authority to
refund \$56.10.

Upon shipments made on February 25 and 26, 1908, of two carloads of scrap borings (iron or steel borings or turnings) over the New York Central and Hudson River railroad from Watertown to Brownville within this State, the defendant, The New York Central and Hudson River Railroad Company, charged complainant, Charles Wakeman, for the transportation of said carloads of scrap borings the sum of \$71.40, the same being at the rate of \$1.40 per gross ton upon an aggregate weight of 114,240 pounds. Such rate was charged in accordance with fifth-class rate as specified in Official Classification No. 31 for "borings, iron or steel," filed with this Commission on November 30, 1907. On the dates on which said shipments moved, defendant had in effect between the points mentioned a commodity rate of thirty cents per gross ton on carload shipments of "scrap iron," minimum weight twenty gross tons, under tariff filed with this Commission on January 21,

1908, as P. S. C., 2 N. Y., No. 3217. The complaint involved the use and meaning of the commercial term "scrap iron". Defendant admits that iron or steel borings are used only for re-melting purposes the same as ordinary scrap iron. Subsequent to dates of shipments, defendant revised its tariffs, naming rates on scrap iron so as to include therein iron or steel borings and turnings, and on May 14, 1908, said rate of \$1.40 per gross ton in defendant's tariffs was superseded by a rate of thirty cents per gross ton on minimum carload weight of twenty gross tons as appears in defendant's tariff P. S. C., 2 N. Y., No. 3730, filed with the Commission April 13, 1908. Complainant claims, and defendant admits, that the rate of \$1.40 per gross ton was excessive, and defendant further admits that the rate of thirty cents per gross ton on minimum carload weight of twenty gross tons, which was made effective on May 14, 1908, would be a just and reasonable charge applied to the shipment in question. It appearing to the Commission that reparation to the extent of the difference between \$71.40, the sum charged upon said shipment, and \$15.30, the sum produced by a rate of thirty cents per gross ton upon an aggregate weight of 114,240 pounds, that is to say, \$56.10, should be allowed to complainant upon said shipment; it is

Ordered: That the complainant, Charles Wakeman, is entitled to have the sum of \$56.10 deducted from said unjust and unreasonable charge of \$71.40 imposed by defendant for transportation of the shipment aforesaid.

[Case No. 504]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

BENJAMIN IRON AND STEEL COMPANY, Complainant, against THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY, Defendant.	Authority to refund \$21.84.
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Upon a shipment made on January 31, 1908, of one carload of mill cinders over the Delaware, Lackawanna and Western railroad from Depew to Buffalo within this State, the defendant, The Delaware, Lackawanna and Western Railroad Company, exacted from complainant, Benjamin Iron and Steel Company, for the transportation of said carload of mill cinders, the sum of \$35.38, the same being at the rate of three and one-half cents per hundred pounds upon a carload weight of 101,100 pounds. Such rate of three and one-half cents per hundred pounds was in effect under defendant's tariff Supplement No. 4 to P. S. C., 2 N. Y., No. 1, filed with this Commission December 17, 1907. Effective January 19, 1908, defendant established a rate of thirty cents per gross ton on the same commodity, minimum carload weight of 25 gross tons from Buffalo to Depew, which would not apply in the opposite direction from Depew to Buffalo, as appears by defendant's tariff Supplement No. 1 to P. S. C., 2 N. Y., No. 205. Effective March 16, 1908, defendant established a rate of thirty cents per gross ton on same commodity, minimum carload weight of 25 gross tons, between Buffalo and Depew, as appears by defendant's tariff Supplement No. 2 to P. S. C., 2 N. Y., No. 205, which rate applies on shipments in both directions to and from said points. Complainant claims, and defendant admits, that the rate of three and one-half cents per hundred pounds was excessive, and defendant further admits that the rate of thirty cents per gross ton on minimum carload weight of 25 gross tons

which was made effective March 16, 1908, between said points would be a just and reasonable charge applied to the shipment in question. It appearing to the Commission that reparation to the extent of the difference between \$35.38, the amount collected upon said shipment, and \$13.54, the sum produced by a rate of thirty cents per gross ton upon a carload weight of 101,100 pounds, that is to say, \$21.84, should be allowed to complainant upon the said shipment; it is

Ordered: That the complainant, Benjamin Iron and Steel Company, is entitled to recover from the defendant, The Delaware, Lackawanna and Western Railroad Company, the sum of \$21.84 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$35.38 for transportation of the shipment aforesaid.

[Case No. 533]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of October, 1908.

Present:

FANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

MICHAEL LOUDIS, Complainant, *against* BOSTON AND
MAINE RAILROAD and THE DELAWARE AND HUDSON
COMPANY, Defendants.

Authority to
refund \$32.00.

Upon a shipment made on July 20, 1908, of one merry-go-round, over the Boston and Maine railroad from Schuylerville to Mechanicville, and over The Delaware and Hudson Company's railroad from Mechanicville to Corinth within this State, the defendants, Boston and Maine Railroad and The Delaware and Hudson Company, exacted from complainant, Michael Loudis, for the transportation of said merry-go-round the sum of \$60.80, the same being at the rate of thirty-eight cents per 100 pounds upon an aggregate weight of 16,000 pounds. Such rate of thirty-eight cents per 100 pounds was charged in accordance with third-class rate shown in Supplement No. 9 to Boston and Maine Railroad joint tariff P. S. C., 2 N. Y., No. 20, which supplement was filed with the Commission May 15, 1908, effective June 16, 1908. The tariff itself, P. S. C., 2 N. Y., No. 20, named a third-class rate of eighteen cents per 100 pounds. It was not intended by defendants that this third-class rate of eighteen cents per 100 pounds should be altered in said supplement, the change being due to clerical error. Effective September 14, 1908, defendants, on special permission of the Commission, re-established a third-class rate of eighteen cents per 100 pounds from Schuylerville to Corinth under Supplement No. 11 to Boston and Maine Railroad joint tariff P. S. C., 2 N. Y., No. 20, thereby correcting the clerical error made in Supplement No. 9 hereinbefore referred to. Complainant claims, and defendants admit, that the third-class rate of thirty-eight cents per 100 pounds was excessive, and defendants further admit that the third-class rate of eighteen cents per 100 pounds, which was made effective September 14, 1908, would be a just and reasonable charge applied to the shipment in question. It appearing to the Commission that reparation to the extent of the difference between \$60.80, the amount collected upon said shipment, and \$28.80, the sum produced by the rate of eighteen cents per 100 pounds upon an aggregate weight of 16,000 pounds, that is to say, \$32.00, should be allowed to complainant upon said shipment; it is

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Ordered: That the complainant, Michael Loudis, is entitled to recover from defendants, Boston and Maine Railroad and The Delaware and Hudson Company, the sum of \$32.00 as reparation for and on account of exaction by defendants of said unjust and unreasonable charge of \$60.80 for transportation of the shipment aforesaid.

[Case No. 534]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

DeGRASSE PAPER COMPANY, Complainant, against THE
NEW YORK CENTRAL AND HUDSON RIVER RAILROAD
COMPANY, Defendant.

Authority to
refund \$274.32.

Upon shipments made on May 21, 22, 23, 25, and 26, 1908, of ten carloads of pulpwood over the New York Central and Hudson River railroad from Canton to Carthage within this State, the defendant, The New York Central and Hudson River Railroad Company, exacted from complainant, DeGrasse Paper Company, for the transportation of said ten carloads of pulpwood the sum of \$411.48, the same being at the rate of nine cents per 100 pounds upon an aggregate weight of 457,200 pounds. Such rate of nine cents per 100 pounds was in effect under defendant's Rome, Watertown and Ogdensburg division class rate tariff P. S. C., 2 N. Y., No. 2737, filed with this Commission October 31, 1907. Carload shipments of pulpwood moved over defendant's line from Canton to Carthage at the rate of three and one-half cents per 100 pounds under defendant's tariff P. S. C., 2 N. Y., No. 6, filed with this Commission August 22, 1907, effective August 24, 1907, which tariff rate expired in accordance with notation thereon on December 30, 1907; and thereafter until May 29, 1908, the prevailing rate was contained in defendant's Rome, Watertown and Ogdensburg division class rate tariff P. S. C., 2 N. Y., No. 2737, hereinbefore referred to. Effective May 29, 1908, defendant established a rate of three cents per 100 pounds on the same commodity from the points mentioned, minimum carload weight of 40,000 pounds, under its tariff P. S. C., 2 N. Y., No. 3974, filed with the Commission May 25, 1908. Complainant claims, and defendant admits, that the rate of nine cents per 100 pounds was excessive, and defendant further admits that the rate of three cents per 100 pounds, minimum carload weight of 40,000 pounds, which was made effective May 29, 1908, would be a just and reasonable charge applied to the shipments in question. It appearing to the Commission that reparation to the extent of the difference between \$411.48, the amount collected upon said shipments, and \$137.16, the sum produced by the rate of three cents per 100 pounds upon an aggregate weight of 457,200 pounds, that is to say, \$274.32, should be allowed to complainant upon said shipments; it is

Ordered: That the complainant, DeGrasse Paper Company, is entitled to recover from defendant, The New York Central and Hudson River Railroad Company, the sum of \$274.32 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$411.48 for transportation of the shipments aforesaid.

[Case No. 370]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLMFSTED,
 Commissioners.

ROCK CUT STONE COMPANY, Complainant, against **THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY**, Defendant. Authority to refund \$127.20.

Formal complaint was filed with the Commission by the Rock Cut Stone Company of Syracuse against The Delaware, Lackawanna and Western Railroad Company as to an alleged unreasonable and unjust rate of thirty cents per net ton charged by said railroad company upon crushed stone shipped from complainant's plant at Rock Cut, Onondaga county, to Syracuse, said rate having been effective from June 1 to July 1, 1908. A hearing was had upon said complaint in the city of Syracuse, September 3, 1908, and from the evidence produced at the hearing and the papers filed with the case the following appears:

For about fifteen years previous and up to and including May 6, 1907, defendant charged \$4.25 per car for said service. Subsequent to May 6, 1907, the rate was increased to seventeen cents per net ton, or an average charge of \$5.50 per car. Under tariff P. S. C., 2 N. Y., No. 442, effective April 20, 1908, defendant established a rate of thirty cents per net ton for said service; Supplement No. 1 to said tariff, also effective April 20, 1908, reestablished the seventeen cent rate; Supplement No. 2 to said tariff, effective June 1, 1908, canceled the seventeen cent rate and established a rate of thirty cents per net ton; and Supplement No. 3, effective July 1, 1908, canceled the thirty cent rate and established a rate of twenty cents per net ton for the service.

It also appeared at the hearing that complainant desired to amend its original complaint and ask for reparation for charges exacted by complainant on shipments of crushed stone made during the month of June, 1908, which amended complaint was subsequently received asking for reparation on shipments amounting to 1272.05 tons made during the month of June, the amount being the difference between the aggregate charge according to the seventeen cent rate previously in force and the thirty cent rate which was exacted by defendant during said period. A copy of the amended complaint was served on defendant. Its answer concedes that said thirty cent rate was unjust and unreasonable and that reparation is due complainant on said number of tons shipped during said period, but alleges that reparation should be made on the basis of the rate of twenty cents per net ton which was made effective on July 1, 1908, and is still in force. Subsequently, complainant admitted that reparation on the basis of the twenty cent rate would be satisfactory.

It appearing to the Commission that the said rate of thirty cents per ton was unreasonable and unjust, and that reparation to the extent of the difference between \$381.61, the amount collected upon said shipments, and \$254.41, the sum produced by a rate of twenty cents per net ton upon 1272.05 tons, that is to say, \$127.20, should be allowed to complainant upon the said shipments;

It is Ordered: That the complainant, Rock Cut Stone Company, is entitled to recover from the defendant, The Delaware, Lackawanna and Western Railroad Company, the sum of \$127.20 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$381.61 for transportation of shipments aforesaid.

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[Case No. 611]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 2nd
day of December, 1908.**

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

E. B. ESTES & SONS, Complainants, *against* NEW YORK, Authority to
ONTARIO AND WESTERN RAILWAY COMPANY, Defendant. refund \$64.89.

Upon shipments made on January 10 and 15, 1908, of two carloads of waste lumber over the New York, Ontario and Western railway from Constantia to Oneida, via the New York Central and Hudson River Railroad Oneida to Chatham, and the Rutland railroad Chatham to Stephentown, within this State, the defendant, New York, Ontario and Western Railway Company, exacted from complainants, E. B. Estes & Sons, for the transportation of said carloads of waste lumber, the sum of \$267.61. This charge was at the rate of nineteen cents per hundred pounds, a combination of sixth-class rate of fifteen cents per hundred pounds under the Official Classification, Constantia to Chatham, in accordance with New York, Ontario and Western Railway Company tariff P. S. C., 2 N. Y., No. 553, filed with the Commission September 25, 1907, and a commodity rate of four cents per hundred pounds, Chatham to Stephentown, in accordance with Rutland Railroad Company tariff P. S. C., 2 N. Y., No. 30, filed with the Commission September 17, 1907, and applied upon the shipment which moved January 10, on a carload weight of 69,700 pounds; the shipment which moved January 15 was not charged in accordance with said described combination rate, an eighteen cent combination rate being erroneously applied upon a carload weight of 75,100 pounds. The aggregate weight of said shipments amounted to 144,800 pounds. Previous to dates of shipment defendant had informed complainants that a rate of fourteen cents per hundred pounds would be regularly put in effect and made to apply when said shipments moved. Through inadvertence of defendant this was not done, and shipments were necessarily charged at the legally effective rate and as hereinbefore described. Effective January 23, 1908, defendant established a rate of fourteen cents per hundred pounds on the said commodity, 30,000 pounds minimum carload weight, from Constantia to Stephentown, as appears by its tariff R-406, P. S. C., 2 N. Y., No. 896. Complainants claim, and defendant admits, that the rates of nineteen and eighteen cents per hundred pounds were excessive, and defendant further admits that the rate of fourteen cents per hundred pounds, minimum carload weight of 30,000 pounds, which was made effective January 23, 1908, would be a just and reasonable charge applied to the shipments in question. It appearing to the Commission that reparation to the extent of the difference between \$267.61, the amount collected upon said shipments, and \$202.72, the sum produced by a rate of fourteen cents per hundred pounds upon an aggregate weight of 144,800 pounds, that is to say, \$64.89, should be allowed to complainants upon the said shipments; it is

Ordered: That the complainants, E. B. Estes & Sons, are entitled to recover from the defendant, New York, Ontario and Western Railway Company, the sum of \$64.89 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$267.61 on the shipments aforesaid.

[Case No. 612]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

LOWELL M. PALMER, Complainant, *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, Defendant.

Authority to refund \$132.50.

Upon a shipment made on December 20, 1907, of three carloads of limestone over the New York Central and Hudson River railroad from Yorktown Heights to Port Morris within this State, the defendant, The New York Central and Hudson River Railroad Company, exacted from complainant, Lowell M. Palmer, for the transportation of said carloads of limestone the sum of \$188.64, the same being at the rate of nine cents per hundred pounds upon an aggregate weight of 209,600 pounds. There was no commodity rate which could be applied to said shipment on the date moved, and said rate of nine cents per hundred pounds was charged in accordance with the Official Classification at a combination of sixth-class rates: five cents per hundred pounds applying from Yorktown Heights to Kings Bridge, and four cents per hundred pounds applying from Kings Bridge to Port Morris, as shown in defendant's tariff P. S. C., 2 N. Y., Nos. 1 and 4, both effective July 1, 1907, and both filed with the Commission August 20, 1907. Effective January 28, 1908, defendant established a commodity rate of sixty cents per gross ton on limestone, in carloads, from Yorktown Heights to Port Morris, as appears by its tariff P. S. C., 2 N. Y., No. 3074, issued on December 27, 1907, which rate was established by defendant upon request made prior to date of shipment by complainant. The shipment moved before the commodity rate became effective. Complainant claims, and defendant admits, that the rate of nine cents per hundred pounds was excessive, and defendant further admits that the rate of sixty cents per gross ton on carload shipments which was made effective January 28, 1908, from the point of shipment to destination, would be a just and reasonable charge applied to the shipment in question. It appearing to the Commission that reparation to the extent of the difference between \$188.64, the amount collected upon said shipment, and \$56.14, the sum produced by a rate of sixty cents per gross ton upon an aggregate weight of 209,600 pounds, that is to say, \$132.50, should be allowed to complainant upon said shipment; it is

Ordered: That the complainant, Lowell M. Palmer, is entitled to recover from the defendant, The New York Central and Hudson River Railroad Company, the sum of \$132.50 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$188.64 for transportation of the shipment aforesaid.

[Case No. 613]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBOURNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

CLARK & WILKINS, Complainants, *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, Defendant. Authority to refund \$34.10.

Upon shipments made on May 5, 6, and 7, 1908, of three carloads of cordwood over the New York Central and Hudson River railroad from Dover Furnace to Melrose Junction within this State, the defendant, The New York Central and Hudson River Railroad Company, exacted from complainants, Clark & Wilkins, for the transportation of said carloads of cordwood the sum of \$136.40, the same being at the rate of eight cents per hundred pounds upon an aggregate weight of 170,500 pounds. Such rate of eight cents per hundred pounds was charged in accordance with defendant's tariff P. S. C., 2 N. Y., No. 5, filed with the Commission August 20, 1907. During the period said shipments were transported a rate of six cents per hundred pounds was effective on said commodity from Colemans, N. Y., to Melrose Junction, in accordance with defendant's tariff P. S. C., 2 N. Y., No. 1847. Dover Furnace is intermediate to Colemans and Melrose Junction, but said last named tariff did not apply to originating point of shipment. Effective May 23, 1908, defendant established a rate of six cents per hundred pounds on cordwood, carloads, from Dover Furnace to Melrose Junction, as appears by its tariff P. S. C., 2 N. Y., No. 3907. Complainant claims, and defendant admits, that the rate of eight cents per hundred pounds was excessive, and defendant further admits that the rate of six cents per hundred pounds, carloads, which was made effective May 23, 1908, from point of shipment to destination, would be a just and reasonable charge applied to the shipments in question. It appearing to the Commission that reparation to the extent of the difference between \$136.40, the amount collected upon said shipments, and \$102.30, the sum produced by a rate of six cents per hundred pounds upon an aggregate weight of 170,500 pounds, that is to say, \$34.10, should be allowed to complainants upon the said shipment; it is

Ordered: That the complainants, Clark & Wilkins, are entitled to recover from the defendant, The New York Central and Hudson River Railroad Company, the sum of \$34.10 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$136.40 for transportation of the shipment aforesaid.

[Case No. 614]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 2nd day
of December, 1908.**

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

CLARK & WILKINS, Complainants, *against* NEW YORK, Authority to
ONTARIO AND WESTERN RAILWAY COMPANY, Defendant. refund \$55.65.

Upon shipments made on March 12 and 31, 1908, of two carloads of cordwood over the New York, Ontario and Western railway from Summitville to West Point, via the West Shore railroad, within this State, the defendant, New York, Ontario and Western Railway Company, charged S. A. Adams of Summitville, agent for complainants Clark & Wilkins, for the transportation of said carloads of cordwood the sum of \$122.43, the same being at the rate of eleven cents per hundred pounds upon an aggregate weight of 111,300 pounds. Such rate was charged in accordance with Official Classification at sixth-class rate in defendant's tariff P. S. C., 2 N. Y., No. 555, filed with this Commission September 25, 1907. Effective April 17, 1908, defendant established a commodity rate of \$1.20 per net ton on such shipments, carloads, minimum weight 40,000 pounds, applying from Summitville, in connection with the West Shore railroad, to West Point, as appears by defendant's tariff P. S. C., 2 N. Y., No. 980, filed with the Commission March 17, 1908. Complainants claim, and defendant admits, that the rate of eleven cents per hundred pounds was excessive, and defendant further admits that the rate of \$1.20 per net ton on minimum carload weight of 40,000 pounds, which was made effective April 17, 1908, from point of shipment to destination, would be a just and reasonable charge applied to the shipments in question. It appearing to the Commission that reparation to the extent of the difference between \$122.43, the amount collected upon said shipments, and \$66.78, the sum produced by a rate of \$1.20 per net ton upon an aggregate weight of 111,300 pounds, that is to say, \$55.65, should be allowed to complainants upon said shipments; it is

Ordered: That the complainants, Clark & Wilkins, are entitled to recover from the defendant, New York, Ontario and Western Railway Company, the sum of \$55.65 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$122.43 on the shipment aforesaid.

[Case No. 615]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 2nd day
of December, 1908.**

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

BUFFALO SAND COMPANY, Complainant, *against* THE Authority to
DELAWARE, LACKAWANNA AND WESTERN RAILROAD refund \$24.00.
COMPANY, Defendant.

Upon a shipment made on May 12, 1908, of two carloads of sand over the Delaware, Lackawanna and Western railroad from Black Rock to Lancaster

within this State, the defendant, The Delaware, Lackawanna and Western Railroad Company, charged complainant, Buffalo Sand Company, for the transportation of said carloads of sand the sum of \$42.00, the same being at the rate of three and one-half cents per hundred pounds upon an aggregate weight of 120,000 pounds. Such rate was charged in accordance with tariff of defendant, P. S. C., 2 N. Y., No. 1, filed with this Commission on September 20, 1907. Effective May 30, 1908, defendant, by special permission of this Commission and as shown by Supplement No. 28 to its tariff P. S. C., 2 N. Y., No. 276, established a rate of thirty cents per net ton on said commodity between Buffalo and Black Rock, and Depew and Lancaster. Complainant claims, and defendant admits, that the rate of three and one-half cents per hundred pounds was excessive, and defendant further admits that the rate of thirty cents per net ton which was made effective May 30, 1908, would be a just and reasonable charge applied to the shipment in question. It appearing to the Commission that reparation to the extent of the difference between \$42.00, the amount collected upon said shipment, and \$18.00, the sum produced by a rate of thirty cents per net ton upon an aggregate weight of 120,000 pounds, that is to say, \$24.00, should be allowed to complainant upon said shipment; it is

Ordered: That the complainant, Buffalo Sand Company, is entitled to recover from the defendant, The Delaware, Lackawanna and Western Railroad Company, the sum of \$24.00 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$42.00 for transportation of the shipment aforesaid.

[Case No. 616]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

NORTHERN IRON COMPANY, Complainant, against THE DELAWARE AND HUDSON COMPANY, Defendant.	Authority to refund \$46.46.
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For switching service rendered during the period from June 21 to July 15, 1908, in the transportation of twenty-two carloads of limestone over the railroad of The Delaware and Hudson Company within the village of Port Henry, State of New York, the defendant, The Delaware and Hudson Company, exacted from complainant, Northern Iron Company, the sum of \$123.89, the same being at the rate of \$3.00 per 50,000 pounds upon an aggregate weight of 2,065,080 pounds. Such rate of \$3.00 per 50,000 pounds or less, excess in proportion, was made effective June 13, 1908, in defendant's tariff P. S. C., 2 N. Y., No. 1558, and superseded a former switching rate of \$3.00 per car, capacity of car. It was the understanding of defendant that cars used in said service would load not to exceed 50,000 pounds, but it subsequently appears that cars of greater capacity were used. It was the intention of defendant to charge not to exceed approximately \$3.00 for each car handled, and under special permission of this Commission, and as shown by its tariff P. S. C., 2 N. Y., No. 1649, effective July 11, 1908, defendant established a rate of \$3.00 per 80,000 pounds or less, excess in proportion. Complainant claims, and defendant admits, that the rate of \$3.00 per car of 50,000 pounds or less, excess in proportion, was excessive, and defendant further admits that the rate of \$3.00 per car of 80,000 pounds or less, excess in proportion,

which was made effective July 11, 1908, would be a just and reasonable charge for the switching service rendered. It appearing to the Commission that reparation to the extent of the difference between \$123.89, the amount collected for said service, and \$77.43, the sum produced by the rate of \$3.00 per car on minimum carload weight of 80,000 pounds, excess in proportion, upon an aggregate weight of 2,065,080 pounds, that is to say, \$46.46, should be allowed to complainant; it is

Ordered: That the complainant, Northern Iron Company, is entitled to recover from the defendant, The Delaware and Hudson Company, the sum of \$46.46 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$123.89 for the switching service aforesaid.

[Case No. 632]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

FRED L. McMULLEN, Complainant, *against* PENNSYLVANIA RAILROAD COMPANY, Defendant. Authority to refund \$10.50.

Upon a shipment made on July 20, 1908, of one carload of corn over the Pennsylvania railroad from Buffalo to Ischua within this State, the defendant, Pennsylvania Railroad Company, exacted from complainant, Fred L. McMullen, for the transportation of said carload of corn the sum of \$31.50, the same being at the rate of seven and one-half cents per hundred pounds upon a carload weight of 42,000 pounds. Such rate of seven and one-half cents per hundred pounds was in effect under defendant's tariff S. S. P. S. C., 2 N. Y., No. 401, filed with the Commission June 1, 1908, effective July 6, 1908. Ischua is a station intermediate to Buffalo and Olean, and prior to July 1, 1908, under defendant's tariff S. S. P. S. C., 2 N. Y., No. 179, filed with the Commission October 12, 1907, grain was charged at the rate of four cents per hundred pounds from point of shipment to destination, and this last named rate was withdrawn on July 1, 1908. Effective August 10, 1908, defendant established a rate of five cents per hundred pounds applying upon said commodity from Buffalo to various points, Ischua being included therein, as appears by defendant's tariff S. S. P. S. C., 2 N. Y., No. 419, minimum carload weight as per Official Classification, filed with the Commission July 8, 1908. Complainant claims, and defendant admits, that the rate of seven and one-half cents per hundred pounds was excessive, and defendant further admits that the rate of five cents per hundred pounds, minimum carload weight as per Official Classification, which was made effective August 10, 1908, from and to said points of shipment would be a just and reasonable charge applied to the shipment in question. It appearing to the Commission that reparation to the extent of the difference between \$31.50, the amount exacted upon said shipment, and \$21.00, the sum produced by a rate of five cents per hundred pounds upon a carload weight of 42,000 pounds, that is to say, \$10.50, should be allowed to complainant upon the said shipment; it is

Ordered: That the complainant, Fred L. McMullen, is entitled to recover from the defendant, Pennsylvania Railroad Company, the sum of \$10.50 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$31.50 for transportation of the shipment aforesaid.

278 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 633]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

T. C. LUTHER, Complainant, *against* BOSTON AND MAINE RAILROAD, Defendant. Authority to refund \$21.82.

Upon a shipment made on October 31, 1907, of one carload of lumber over the Boston and Maine railroad from Schuylerville, via Troy and the New York Central and Hudson River railroad, to Poughkeepsie within this State, the defendant, Boston and Maine Railroad, exacted from complainant, T. C. Luther, for the transportation of said carload of lumber the sum of \$72.75, the same being at the rate of fifteen cents per hundred pounds upon a carload weight of 48,500 pounds. Such rate of fifteen cents per hundred pounds was charged in accordance with defendant's tariff P. S. C., 2 N. Y., No. 25, filed with the Commission September 12, 1907. Effective November 9, 1907, defendant established a rate of ten and one-half cents per hundred pounds on the same commodity, carloads, minimum weight as per Official Classification, from point of shipment to destination, as appears by defendant's tariff P. S. C., 2 N. Y., No. 107, filed with the Commission October 8, 1907. Complainant claims, and defendant admits, that the rate of fifteen cents per hundred pounds was excessive, and defendant further admits that the rate of ten and one-half cents per hundred pounds, minimum carload weight as per Official Classification, which was made effective November 9, 1907, from point of shipment to destination, would be a just and reasonable charge applied to the shipment in question. It appearing to the Commission that reparation to the extent of the difference between \$72.75, the amount collected upon said shipment, and \$50.93, the sum produced by a rate of ten and one-half cents per hundred pounds upon a carload weight of 48,500 pounds, that is to say, \$21.82, should be allowed to complainant upon the said shipment; it is

Ordered: That the complainant, T. C. Luther, is entitled to recover from the defendant, Boston and Maine Railroad, the sum of \$21.82 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$72.75 for transportation of the shipment aforesaid.

[Case No. 636]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

PRESTON BRICK COMPANY, Complainant, *against* ERIE RAILROAD COMPANY, Defendant. Authority to refund \$31.50.

Upon shipments made by complainant on June 2, July 14 and 20, 1908, of three carloads of paving brick over the Erie railroad from Hornell to

Wellsville within this State, the defendant, Erie Railroad Company, charged consignees, McEwen Brothers, for the transportation of one of said carloads, the shipment moving on June 2nd, the sum of \$20.00 upon a carload weight of 40,000 pounds; and exacted from consignee, Oak Duke Lumber Company, for the transportation of two of said carloads, the shipments moving July 14th and 20th, the sum of \$43.00 upon an aggregate weight of 86,000 pounds, the respective amounts assessed being at the rate of five cents per hundred pounds in accordance with Official Classification, at sixth-class rate, as shown by defendant's tariff P. S. C., 2 N. Y., No. 703, filed with the Commission September 27, 1907, in effect at the time said shipments were forwarded. Previous to dates of shipments defendant had informed complainant that a rate of fifty cents per net ton would be regularly put in effect and made to apply when said shipments moved. Through inadvertence of defendant this was not done, and shipments were necessarily charged at the legally effective rate hereinbefore described. Effective September 28, 1908, defendant established a rate of fifty cents per net ton on the said commodity, minimum weight 40,000 pounds, except when capacity of car is less, in which case marked capacity of car will govern, but in no case shall the minimum weight be less than 30,000 pounds, from said point of shipment to destination as appears by its tariff P. S. C., 2 N. Y., No. 1012, filed with the Commission August 29, 1908. Complainant claims, and defendant admits, that the rate of five cents per hundred pounds was excessive, and defendant further admits that the rate of fifty cents per net ton, minimum carload weight as above specified, which was made effective September 28, 1908, would be a just and reasonable charge applied to the shipments in question. It appearing to the Commission that reparation to the extent of the difference, on the June 2nd shipment, between \$20.00, the amount charged consignees, McEwen Brothers, and \$10.00, the sum produced by a rate of fifty cents per net ton upon a carload weight of 40,000 pounds, that is to say, \$10.00; and on the July 14th and 20th shipments, between \$43.00, the amount exacted from consignee, Oak Duke Lumber Company, and \$21.50, the sum produced by a rate of fifty cents per net ton upon an aggregate weight of 86,000 pounds, that is to say, \$21.50, should be allowed to said consignee upon said shipments; it is

Ordered: That said consignees, McEwen Brothers, are entitled to have the sum of \$10.00 deducted from said unjust and unreasonable charge of \$20.00 imposed by defendant, Erie Railroad Company, for transportation of shipment aforesaid; and it is further

Ordered: That said consignee, Oak Duke Lumber Company, is entitled to recover from defendant, Erie Railroad Company, the sum of \$21.50 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$43.00 for transportation of the shipments aforesaid.

[Case No. 651]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

W. A. WAITE & SON, Complainants, *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, Defendant.

Authority to
refund \$192.00.

Upon shipments made on October 6 and 8, 1908, of six carloads of barley over the New York Central and Hudson River railroad from Buffalo to Adams

within this State, the defendant, The New York Central and Hudson River Railroad Company, exacted from complainants, W. A. Waite & Son, for the transportation of said carloads of barley the sum of \$528.00, the same being at the rate of eleven cents per hundred pounds upon an aggregate weight of 480,000 pounds. Such rate of eleven cents per hundred pounds was charged in accordance with defendant's tariff P. S. C., 2 N. Y., No. 3672, filed with the Commission April 6, 1908, effective May 7, 1908. Prior to May 7, 1908, defendant had in effect a rate of six cents per hundred pounds on barley, carloads, from said point of shipment to destination as per its tariff W. 308, P. S. C., 2 N. Y., No. 1986. Said tariff was superseded by defendant's tariff A-9275, P. S. C., 2 N. Y., No. 3672, effective May 7, 1908, establishing a rate of seven cents per hundred pounds on buckwheat, rye, and corn, carloads, from Buffalo, East Buffalo, and Black Rock to Adams, and through inadvertence barley was not included therein. By Supplement No. 4 to said last named tariff, effective October 22, 1908, under special permission of the Commission, No. 648, of date October 14, 1908, defendant established a rate of seven cents per hundred pounds, carloads, minimum weight as per the Official Classification, on barley, applying from said point of shipment to destination. Complainants claim, and defendant admits, that the rate of eleven cents per hundred pounds was excessive, and defendant further admits that the rate of seven cents per hundred pounds, carloads, minimum weight as per the Official Classification, which was made effective October 22, 1908, from said point of shipment to destination, would be a just and reasonable charge applied to the shipments in question. It appearing to the Commission that reparation to the extent of the difference between \$528.00, the amount collected upon said shipments, and \$336.00, the sum produced by a rate of seven cents per hundred pounds upon an aggregate weight of 480,000 pounds, that is to say, \$192.00, should be allowed to complainants upon said shipments; it is

Ordered: That the complainants, W. A. Waite & Son, are entitled to recover from the defendant, The New York Central and Hudson River Railroad Company, the sum of \$192.00 as reparation for and on account of exaction by defendant of said unjust and unreasonable charge of \$528.00 for transportation of the shipments aforesaid.

[Case No. 657]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JOHN B. OLTMSTED,
Commissioners.

CONTINENTAL CAN COMPANY, Complainant, against THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, Respondent.

Authority to refund \$131.16.

Upon shipments made on April 28, May 7, 8, 11, and 15, 1908, of five carloads of empty tin cans from Syracuse to Wilson, and on June 18, 20, and 25, 1908, of three carloads of empty tin cans from Syracuse to Barker, within this State, over the New York Central and Hudson River railroad, the respondent, The New York Central and Hudson River Railroad Company, exacted from complainant, Continental Can Company, for the transportation of said carloads of empty tin cans the sum of \$384.72, the same being at the rate of twenty-four cents per hundred pounds upon an aggregate weight of 160,300 pounds. Such rate of twenty-four cents per hundred pounds was

charged in accordance with fourth-class rate shown in defendant's tariff P. S. C., 2 N. Y., No. 2737, filed with the Commission on October 31, 1907. Prior to dates on which such shipments moved, respondent advised complainant that a rate of twelve cents per hundred pounds would be applied on said shipments, but this was in error, as said rate applied only from Syracuse to Suspension Bridge, N. Y., and not to said destination points which are intermediate thereto. Effective July 3, 1908, respondent established rate on said commodity of sixteen cents per hundred pounds from Syracuse to Wilson, and fifteen and one-half cents per hundred pounds from Syracuse to Barker, in tariff P. S. C., 2 N. Y., No. 4148, carloads, minimum weight as per Official Classification, the same rates being now shown in respondent's tariff A-10000, P. S. C., 2 N. Y., No. 4155, filed with Commission July 1, 1908, effective August 1, 1908. Complainant claims, and respondent admits, that the rate of twenty-four cents per hundred pounds was excessive; and respondent further admits that the rates of sixteen cents per hundred pounds from Syracuse to Wilson, and fifteen and one-half cents per hundred pounds from Syracuse to Barker, carloads, minimum weight as per Official Classification, which were made effective July 3, 1908, would be just and reasonable charges applied to the shipments in question. It appearing to the Commission that reparation to the extent of the difference between \$384.72, the amount collected upon said shipments, and \$253.56, the sum produced by a rate of sixteen cents per hundred pounds upon the aggregate weight of said shipments from Syracuse to Wilson of 101,800 pounds, and of fifteen and one-half cents per hundred pounds upon the aggregate weight of said shipments from Syracuse to Barker of 58,500 pounds, that is to say, \$131.16, should be allowed to complainant upon said shipments; it is

Ordered: That the complainant, Continental Can Company, is entitled to recover from the respondent, The New York Central and Hudson River Railroad Company, the sum of \$131.16 as reparation for and on account of exaction by respondent of said unjust and unreasonable charge of \$384.72 for transportation of the shipments aforesaid.

[Case No. 658]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22nd day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JOHN B. OLMIESTED,
Commissioners.

SCHENECTADY POWER COMPANY, Complainant, <i>against</i>	Authority to
THE DELAWARE AND HUDSON COMPANY and BOSTON	refund \$729.95.
AND MAINE RAILROAD, Respondents.	

Upon shipments made during the period from July 9 to September 11, 1908, of fourteen carloads of lumber over the railroad of The Delaware and Hudson Company and the Boston and Maine railroad from The Glen to Schaghticoke within this State, respondents, The Delaware and Hudson Company and the Boston and Maine Railroad, exacted from complainant, Schenectady Power Company, for the transportation of said carloads of lumber, the sum of \$1179.15. This charge was at the rate of twenty-one cents per hundred pounds on an aggregate weight of 561,500 pounds, as shown by Supplements Nos. 9 and 10 to The Delaware and Hudson Company joint class rate tariff P. S. C., 2 N. Y., No. 80. Effective February 23, 1907, respondent, The Delaware and Hudson Company, by Supplement No. 4 to said joint class rate tariff P. S. C., 2 N. Y., No. 80, in connection with respondent, Boston and Maine Railroad, established a rate of eight cents

per hundred pounds on said commodity applying from said point of shipment to said point of destination. In Supplement No. 9 to said joint class rate tariff P. S. C., 2 N. Y., No. 80, effective June 18, 1908, this rate, through typographical error, was changed to said rate of twenty-one cents per hundred pounds, and was so continued in Supplement No. 10 to said tariff. Effective September 14, 1908, this error was corrected by Supplement No. 11 to said joint class rate tariff P. S. C., 2 N. Y., No. 80, reestablishing a rate of eight cents per hundred pounds on said commodity from said point of shipment to said point of destination. Complainant claims, and respondents admit, that the rate of twenty-one cents per hundred pounds was excessive; and respondents further admit that the rate of eight cents per hundred pounds, which was reestablished and made effective September 14, 1908, would be a just and reasonable charge applied to the shipments in question. It appearing to the Commission that reparation to the extent of the difference between \$1179.15, the amount collected upon said shipments, and \$449.20, the sum produced by a rate of eight cents per hundred pounds upon an aggregate weight of 561,500 pounds, that is to say, \$729.95, should be allowed to complainant upon said shipments; it is

Ordered: That the complainant, Schenectady Power Company, is entitled to recover from the respondents, The Delaware and Hudson Company and the Boston and Maine Railroad, the sum of \$729.95 as reparation for and on account of exaction by respondents of said unjust and unreasonable charge of \$1179.15.

[Case No. 294]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLTMSTED,
Commissioners.

In the matter of the Complaint of the GLEASON COLD STORAGE COMPANY against THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

Authority to
refund \$4395.87.

The complaint in this case was filed April 4, 1908, and demands reparation for unlawful transportation charges principally on apples and pears to the complainant's cold storage warehouses at Brighton, N. Y., and LeRoy, N. Y., from various points in the State of New York. Up to September 11, 1907, the defendant had in effect no commodity rates for apples and pears from New York state points either to Rochester, Brighton, or LeRoy, N. Y. The class rates only applied, and the class rates to Brighton were the same as those in effect to Rochester. On September 11, 1907, the defendant established commodity rates to Rochester as provided for in tariffs A-7394, P. S. C., 2 N. Y., 40, and A-7395, P. S. C., 2 N. Y., 41. On October 14, 1907, the defendant established rates on the commodities in question from certain main-line points to Brighton on the basis of the rates from the same points to Rochester, N. Y., as provided for in Supplement No. 1 to tariff A-7394, P. S. C., 2 N. Y., 40; and on October 15, 1907, from R. W. & O. division points herein involved, to Brighton on the basis of the rates to Rochester as provided for in Supplement No. 1 to tariff A-7395, P. S. C., 2 N. Y., 41. At that time no commodity rates existed from these points to LeRoy, N. Y.; but on October 26, 1907, the defendant established rates from both main-line and R. W. & O. division points to LeRoy, N. Y., on apples only, as provided for in tariff A-7946, P. S. C., 2 N. Y., 2651. Subsequently, the defendant established rates to Brighton, N. Y., on the basis of the Rochester

rates, from various West Shore points upon the commodities in question as provided for in Supplement No. 3 to tariff A-4024, P. S. C., 2 N. Y., 1202. A schedule filed by complainant covering shipments to Brighton shows shipments from September 6 to November 26, 1907, inclusive, and to LeRoy from September 26 to November 21, 1907. The items in this schedule referred to weights and other matters hereinafter mentioned as well as to rates. The points of shipment are all in New York state, and the transportation was wholly within New York state. The claim as filed is for reparation in the amount of \$4860.34. The defendant concedes that the higher charges to Brighton and LeRoy during the period mentioned, in excess of the rates established by the tariffs heretofore mentioned, were unreasonable, and also says that the higher rates to Brighton and LeRoy were the result of a misunderstanding by one of its officers. The claim filed by the complainant has been carefully checked by the defendant, and this examination has been made in connection with the complainant's representative. Upon such examination it appears upon the Brighton shipments the excess charges as aforesaid amounted to \$2373.00, this sum including \$171.31 which represents excessive rates on the West Shore railroad. It also appears that on the LeRoy shipments the defendant concedes excessive charges to the amount of \$1842.96. To these sums are to be added conceded errors in weights on apples amounting to \$20.03 on the Brighton shipments, and \$19.87 on the LeRoy shipments. The total of these excess charges amounts to \$4255.86. There are some other questions involved in the case besides the mere difference in rates above indicated. These relate to diversion of a shipment to Chicago on which the charge to Brighton is claimed to have been paid; a shipment referred to as the "Kent Street, Ridge Road shipment"; rates on carrots from Morton, N. Y.; a refund allowed but claimed not to have been paid; some errors in rate on re-billed fruit, excess charges based on the claim that weights should be corrected; and alleged excessive rates on pears to LeRoy. As to most of these minor claims the proof is to be supplemented by statements from one or both parties.

The Commission is of the opinion that the rates charged in excess of those established by the defendant, as aforesaid, were as complained of and conceded by defendant, unjust and unreasonable, and that these, together with the amounts represented by errors in weights on apples to Brighton and LeRoy, should be refunded to complainant without delay and without being held to await determination of the questions as to other matters involved herein. The complainant also claims interest on the amounts involved, but the Commission is of the opinion that interest should not be allowed except upon the excess charges to Brighton over the Rochester rate, which were in the nature of an overcharge, since Brighton, a suburb of Rochester, takes Rochester rates on traffic generally. Such interest, computed at the rate of six per cent. per annum from January 6, 1908 (the time when the claim was filed with the defendant), to December 30, 1908, amounts on \$2373.00, the aggregate of such excess charges, to \$140.01, and this should be added to \$4255.86, the amount of the claims as above stated. Upon the facts and considerations above stated, it is

Ordered: That the complainant, the Gleason Cold Storage Company, is entitled to recover from the defendant, The New York Central and Hudson River Railroad Company, the sum of \$4395.87 as reparation for and on account of exaction by defendant of said unjust and unreasonable transportation charges.

APPENDIX H.

IN THE MATTER OF CONSTRUCTION AND EXERCISE OF FRANCHISE
BY ELECTRICAL CORPORATIONS AND GAS CORPORATIONS.



APPENDIX H.

[Case No. 181]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of January, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of NIAGARA, LOCKPORT AND ONTARIO POWER COMPANY, under section 68 of the Public Service Commissions Law, for permission to construct and to exercise rights and privileges under a franchise granted by the Board of Trustees of the Village of Blasdell, Erie county.

The Niagara, Lockport and Ontario Power Company, on January 6, 1908, filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to construct, maintain, and operate the necessary poles, wires, cables, conduits, subways, appliances, and structures, in, through, upon, over, under, and across all of the streets, alleys, highways, and public places of the village of Blasdell, Erie county, for the purpose of using, distributing, and furnishing electricity for heat, light, or power to the said village of Blasdell and the inhabitants thereof; and for permission to exercise rights and privileges therefor under a franchise received by the petitioner from the board of trustees of said village. Attached to the petition is a paper signed by Levant D. Lester, esq., attorney for said village, asking this Commission to grant, without a hearing, the permission asked for. From the petition and accompanying papers it appears that the petitioner has received the required consent of the proper municipal authorities of said village to said construction, maintenance, and operation. Upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the Niagara, Lockport and Ontario Power Company, in the village of Blasdell, Erie county, of the necessary poles, wires, cables, conduits, subways, appliances, and structures, in, through, upon, over, under, and across all of the streets, alleys, highways, and public places of the said village of Blasdell, for the purpose of using, distributing, and furnishing electricity for heat, light, or power to the said village of Blasdell and the inhabitants thereof, and hereby permits and approves the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise granted December 10, 1907, by the board of trustees of the said village of Blasdell, a certified copy of which franchise is on file with this Commission.

[Case No. 182]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of January, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,

Commissioners.

In the matter of the Petition of **BUFFALO GENERAL ELECTRIC COMPANY**, under section 68 of the Public Service Commissions Law, for permission to construct and to exercise rights and privileges under a franchise granted by the Board of Trustees of the Village of Blasdell, Erie county.

The Buffalo General Electric Company on January 6, 1908, filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to construct, maintain, and operate the necessary poles, wires, cables, conduits, subways, appliances, and structures, in, through, upon, over, under, and across all of the streets, alleys, highways, and public places of the village of Blasdell, for the purpose of using, distributing, and furnishing electricity for heat, light, or power to the said village of Blasdell, Erie county, and the inhabitants thereof; and for permission to exercise rights and privileges therefor under a franchise received by the petitioner from the board of trustees of said village. Attached to the petition is a paper signed by Levant D. Lester, esq., attorney for said village, asking this Commission to grant, without a hearing, the permission asked for. From the petition and accompanying papers it appears that the petitioner has received the required consent of the proper municipal authorities of said village to said construction, maintenance, and operation. Upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the Buffalo General Electric Company, in the village of Blasdell, Erie county, of the necessary poles, wires, cables, conduits, subways, appliances, and structures, in, through, upon, over, under, and across all of the streets, alleys, highways, and public places of the village of Blasdell, for the purpose of using, distributing, and furnishing electricity for heat, light, or power to the said village of Blasdell and the inhabitants thereof, and hereby permits and approves the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise granted December 10, 1907, by the board of trustees of the village of Blasdell, Erie county, a certified copy of which franchise is on file with this Commission.

[Case No. 236]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 10th
day of March, 1908.**

Present:

FRANK W. STEVENS, Chairman,
 CHARLES H. KEET,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,

Commissioners.

In the matter of the Petition of THE GREAT BEAR LIGHT AND POWER COMPANY, under section 68 of the Public Service Commissions Law, for permission to construct poles and wires for the conducting and furnishing of electricity for public and private lighting and for power, and for approval of the exercise of rights and privileges under franchises therefor received from municipal authorities.

The Great Bear Light and Power Company on February 24, 1908, filed with this Commission its petition under section 68 of the Public Service Commissions Law for permission to construct and operate in the town of Richmondville, and the incorporated village of Richmondville, Schoharie county, and in the town of Worcester, Otsego county, poles and wires for conducting and furnishing electricity for public and private lighting and for power, and for approval of the exercise of rights and privileges under franchises received from the authorities of said municipalities. The company proposes to generate electricity from water power, and storage dams are to be located in the town of Decatur, Otsego county, from which town a franchise has been received, but inasmuch as no poles and wires are to be constructed in said town this order does not relate thereto.

A hearing on this petition was held by this Commission at its office in the Capitol, Albany, on March 4, 1908. *M. E. Baldwin, esq.*, appeared for the petitioner; *Clarence E. Holmes, esq.*, appeared for the Worcester Light and Power Company.

From the petition and accompanying papers and statements and evidence at the hearing it appears that the petitioner has received the required consent of the proper municipal authorities to such construction and operation; that the franchises cover all the highways and public places of the town of Richmondville, village of Richmondville, and town of Worcester, but that the company now proposes to furnish electricity only in the unincorporated village of East Worcester, Otsego county, in the villages of West Richmondville and Richmondville, Schoharie county, and along the line from East Worcester through West Richmondville to Richmondville aforesaid; that in the unincorporated village of Worcester, Otsego county, about four miles west of East Worcester, electricity is now furnished to public and private consumers by the Worcester Light and Power Company, which opposes any proposal of this petitioner to furnish electricity in that place, and that the petitioner does not now ask authority to exercise its franchises in the village of Worcester, or to interfere in any way with the present operations of said Worcester Light and Power Company.

Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby approves of the construction and operation by The Great Bear Light and Power Company of an electric power plant, and to erect and maintain and operate a pole line with wires for conducting and furnishing electricity for public and private lighting and for power in the unincorporated village of East Worcester, Otsego county, and from thence eastwardly through the village of West Richmondville to and in the village of

Richmondville, Schoharie county, with distributing lines in the territory along and immediately adjoining said line from East Worcester to Richmondville aforesaid, and to such extent only and not otherwise; and hereby permits and approves the exercise of rights and privileges for such construction and operation, as hereinabove limited, conferred on The Great Bear Light and Power Company by a franchise granted to said company on November 7, 1907, by the town board of the town of Worcester, Otsego county; by a franchise granted to said company on January 4, 1908, by the town board of the town of Richmondville, Schoharie county; by a franchise granted to said company on January 3, 1908, by the president and trustees of the village of Richmondville, Schoharie county; by a consent granted to said company on January 30, 1908, by the sole highway commissioner of the town of Richmondville, Schoharie county; and by a consent granted to said company on January 20, 1908, by the sole highway commissioner of the town of Worcester, Otsego county; certified copies of which franchises and consents are on file with this Commission.

[See Case No. 237, March 10, 1908, page 338.]

[Case No. 286]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of MARION BORDEN HALLIDAY, under section 68 of the Public Service Commissions Law, as to the construction of electric wire pole lines for the furnishing of electricity and the exercise of rights and privileges therefor under a franchise received from the town board of the town of Shawangunk, Ulster county.

Marion Borden Halliday on April 3, 1908, filed with this Commission a petition under section 68 of the Public Service Commissions Law for permission to construct, maintain, and operate in the town of Shawangunk, Ulster county, electric wire pole lines for the conducting and distributing of electricity for public and private lighting, heating, and power purposes, and for permission to exercise rights and privileges therefor under a franchise received from the town board of said town. It appears from the petition that the petitioner is now operating upon private property about one mile south of the hamlet of Wallkill, in said town, a plant for the generation of electricity, and is supplying such electricity upon said property; that residents of the hamlet of Wallkill and the municipal authorities of said town have requested the petitioner to construct, maintain, and operate an electric wire pole line from this plant to and in Wallkill for the purpose of supplying electricity for public and private lighting, heating, and power; that no such service is now being rendered in that territory; and that the petitioner has received a franchise for such construction, maintenance, and operation from the town board of said town. Upon the aforesaid petition, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by Marion Borden Halliday of electric wire pole lines for conducting and distributing electricity in the portions of the town of Shawan-

gunk, Ulster county, referred to in a franchise granted to said Marion Borden Halliday by the town board of said town on the 20th day of March, 1908; and hereby permits and approves the exercise of rights and privileges for such construction, maintenance, and operation conferred on said Marion Borden Halliday by said franchise.

[Case No. 180]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the BARON STEUBEN OIL AND GAS COMPANY, under section 68 of the Public Service Commissions Law, for permission to begin construction and to exercise a franchise granted by the town of Wayne, Steuben county.

After due deliberation, it is

Ordered: That the said petition be closed on the records of this Commission, a request to this effect having been made by the attorney for the applicant.

[Case No. 293]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of THE ELECTRIC LIGHT COMPANY OF NEW PALTZ, under section 68 of the Public Service Commissions Law, as to the construction, maintenance, and operation of electric wire pole lines for the conducting and distributing of electricity for light, heat, or power in the village of New Paltz, Ulster county, and the exercise of rights and privileges therefor received by said company from the president and trustees of said village.

The Electric Light Company of New Paltz on April 7, 1908, filed with this Commission its petition under section 68 of the Public Service Commissions Law for permission to construct, maintain, and operate in the village of New Paltz, Ulster county, electric wire pole lines for the conducting and distributing of electricity for public and private lighting, heating, or power, and for permission to exercise rights and privileges therefor received from the president and trustees of said village. It appears from the petition that the petitioner is now supplying electricity for light, heat, or power in said village; that no other corporation or person is so engaged; that the president

and the board of trustees of said village have granted to this petitioner a franchise for the erection, maintenance, and operation of conductors, poles, cables and wires, in, upon, across, and along the streets, highways, and other public places of said village, for the furnishing of electricity for light, heat, or power. Upon the aforesaid petition, and after due deliberation, it is

Ordered: Under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by The Electric Light Company of New Paltz of poles, cables and wires, in, upon, across, and along the streets, highways, and other public places of the village of New Paltz, for conducting and distributing electricity for light, heat, or power; and hereby permits and approves the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise dated February 24, 1908, from the president and trustees of the said village.

[Case No. 311]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the GENESEE COUNTY ELECTRIC LIGHT, POWER AND GAS COMPANY of the village of Batavia, Genesee county, N. Y., under section 68 of the Public Service Commissions Law, as to the construction, maintenance, and operation of an electric plant for furnishing electricity for light, heat, power, and other purposes in the village of Bergen, Genesee county, N. Y.

The Genesee County Electric Light, Power and Gas Company on April 16, 1908, filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for authority to construct, maintain, and operate, in the village of Bergen, Genesee county, an electric plant for furnishing electricity for light, heat, power, and other purposes, and for permission to exercise rights and privileges therefor under franchises received from the president and trustees of said village. It appears from the petition that the petitioner has an option for the purchase of the present electric system in said village of Bergen; that the president and board of trustees of the village have granted to this petitioner franchises dated November 17, 1908, and April 9, 1908, for construction, maintenance, and operation of an electric plant for furnishing electricity for light, heat, power, and other purposes in said village; that the petitioner has entered into a contract with the said village to light streets of the village and to furnish power to operate the water works system of the village, and that the petitioner intends to begin work under said contracts immediately. Upon the aforesaid petition, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation, in the village of Bergen, Genesee county, N. Y., by the Genesee County Electric Light, Power and Gas Company of Batavia, Genesee county, of an electric plant for furnishing electricity for light, heat, power, and other purposes, and hereby permits and approves the exercise of rights and privileges for such construction, maintenance, and operation conferred on said

company by franchises from the president and trustees of said village of Bergen, granted November 17, 1906, and April 9, 1908.

[See Case No. 310, April 16, 1908, page 318; Case No. 417, November 25, 1908, page 462; Case No. 417, December 8, 1908, page 328; and Case No. 661, December 29, 1908, page 310.]

[Case No. 341]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of WELLS ISLAND LIGHT AND HEAT COMPANY, under section 68 of the Public Service Commissions Law, for permission to begin construction and exercise rights and privileges under a franchise from Thousand Island Park Association proposed to be transferred to this petitioner.

The Wells Island Light and Heat Company on May 19, 1908, filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to begin construction of and exercise rights and privileges for an acetylene gas plant on the grounds of the Thousand Island Park Association on Wells Island, in the St. Lawrence river, town of Orleans, Jefferson county. From the petition and accompanying papers it appears that the petitioner was organized on August 24, 1907, under the Transportation Corporations Law, to manufacture and furnish on the said grounds of the Thousand Island Park Association acetylene gas for lighting the streets and buildings on said grounds; that certain individuals have agreed with this petitioner to transfer to it, in consideration of \$8000 of this petitioner's common capital stock to be issued to them by this petitioner, a complete acetylene gas plant, including land, a building, machinery for the making of the gas, pipes in the streets, meters, connections, and transfer to this petitioner a lease and franchise to operate the same obtained by the individuals from the Thousand Island Park Association, and also to transfer to this petitioner consents of property owners or lease owners to the laying of gas pipes obtained by the individuals; that Wells Island is the property of the Thousand Island Park Association and has no municipal government. Upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction and operation by the Wells Island Light and Heat Company of an acetylene gas plant on the grounds of the Thousand Island Park Association on Wells Island, in the St. Lawrence river, town of Orleans, Jefferson county, including pipes in the streets and connections, and hereby permits and approves the exercise by said company of rights and privileges for such construction and operation under a lease and franchise, a certified copy of which is on file with this Commission, from the Thousand Island Park Association, dated July 29, 1907, to Walter F. Newton, James A. Morris, and Lauren M. Fitch, this Commission on this date having consented, under section 70 of the Railroad Law, that said lease and franchise may be transferred from said individuals to this company.

[See Case No. 340, June 3, 1908, page 353, and Case No. 342, June 3, 1908, page 319.]

294 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 368]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 27th
day of June, 1908.**

Present:

FRANK W. STEVENS, Chairman,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Petition of THE BERLIN ELECTRIC LIGHT, HEAT AND POWER COMPANY, under section 68 of the Public Service Commissions Law for permission to construct and to exercise rights and privileges under franchises, and under section 69 as to issuing capital stock.

The Berlin Electric Light, Heat and Power Company on June 12, 1908, filed with this Commission its petition (1) under section 68 of the Public Service Commissions Law for permission to construct, maintain, and operate in the highways and public places of the town of Berlin, Rensselaer county, poles, wires, fixtures, appliances, and apparatus for the conducting and furnishing of electricity for light, heat, or power in said town, and for approval of the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise dated June 4, 1908, from the town board of said town; (2) under section 69 of the Public Service Commissions Law for authority to issue \$20,000 common capital stock and certain notes. A hearing on said petition was held by Chairman Stevens of this Commission in the Capitol, Albany, on June 25, 1908; Pierce H. Russell appeared for the petitioner.

It appears from the petition and accompanying papers and from evidence at the hearing that the proper municipal authorities of said town have given the required consent to said construction, maintenance, and operation; that the proceeds of the capital stock proposed to be issued are to be used for the proper purposes of the company, to wit: the acquisition of property and the construction of the petitioner's plant and distributing system. In the opinion of this Commission the use of the capital to be secured by the issue by this petitioner of its entire common capital stock and the notes referred to in the petition is not reasonably required for the said purposes of the corporation; however, it is the opinion of this Commission that the use of the capital to be secured by the issue, at par, by this petitioner of the \$17,500 common capital stock hereinafter authorized is reasonably required for the said purposes of the corporation, to wit: the acquisition of property and the construction of the petitioner's plant and distributing system as described in the affidavit verified June 11, 1908, of William Daniel Ligon, which affidavit is attached to the petition herein. From the aforesaid petition and accompanying papers and evidence taken at the hearing, and after due deliberation, it is

Ordered: 1. That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by The Berlin Electric Light, Heat and Power Company in the highways and public places of the town of Berlin, Rensselaer county, of poles, wires, fixtures, appliances, and apparatus for the conducting and furnishing of electricity for light, heat, or power in said town, and hereby permits and approves the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise dated June 4, 1908, granted by the town board of the town of Berlin, Rensselaer county, a certified copy of which franchise is attached to the petition herein.

Ordered: 2. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes The Berlin Electric Light, Heat and Power Company to issue \$17,500 common capital stock of the par value of \$100 per share.

Ordered: 3. That said \$17,500 common capital stock shall not be sold for less than its par value.

Ordered: 4. That the proceeds of said \$17,500 common capital stock shall be devoted by The Berlin Electric Light, Heat and Power Company to and used for the following purposes and no other, to wit: the acquisition of property and the construction of the petitioner's plant and distributing system as described in the affidavit verified June 11, 1908, of William Daniel Ligon, which affidavit is attached to the petition herein.

Ordered: 5. That said The Berlin Electric Light, Heat and Power Company shall make verified reports to this Commission, as follows: (a) Upon the sale of the common capital stock authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the expiration of each and every period of six months from the date of this order the disposition and use made of the proceeds of said common capital stock, setting forth in reasonable detail the purposes to which such proceeds have been devoted; and that such reports shall be made until all the proceeds of said common capital stock have been expended pursuant to the provisions of this order.

[Case No. 290]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol in the city of Albany on the 7th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of A. L. SWETT ELECTRIC
LIGHT COMPANY for permission to exercise rights in
the Village of Albion.

It appearing by the statements on open hearing, and by stipulation filed with the Commission by the receiver of the Albion Power Company and by the attorneys and committee for the bondholders of said company, that the receiver of said company is ready to begin at once and complete within thirty days from this date certain improvements and betterments of the plant and service of said company, which improvements and betterments are hereinafter enumerated; and to begin and complete within sixty days of this date certain other improvements and betterments hereinafter set forth:

Resolved, That this proceeding be adjourned and held open for thirty days from this date, and that in the meantime the receiver of the Albion Power Company be permitted to begin immediately the following work of improvement and betterment upon the plant and service of said company, and to complete the same to the satisfaction of the Commission within thirty days, to wit:

Improvements to be made within thirty days:

1. Install a new shaft and repair the water-wheel at the Waterport power station No. 1 so as to make available the 150 kilowatt generator belted to this wheel.
2. Repair the timber dam and crib at Waterport power station No. 1 in such a manner as to prevent the leakage now existing there, and to increase the available head and power at this dam.
3. Make all necessary repairs upon the two boilers now at Albion so as to make possible the continuous operation of these boilers.

4. To purchase and install a 100 kilowatt belt-driven generator, exciter, switchboard, belt and engine to drive the same in the Albion sub-station. This is on the supposition that a second-hand outfit is to be purchased and therefore can be installed within the thirty days above named.

5. To purchase and install a mechanical governor at Clark Mills.

6. To purchase and erect the additional distribution copper necessary to furnish proper service in Albion.

And further Resolved, That if at the expiration of thirty days from this date the said improvements hereinbefore enumerated have not been substantially completed to the satisfaction of the Commission, then the application of the petitioner to be brought up again to this Commission for action thereon. If at the expiration of said thirty days the said improvements and betterments have been substantially completed, then this case to be again adjourned and held open for a further period of thirty days from that date, during which time the following improvements and betterments are to be completed by the said receiver to the satisfaction of the Commission:

List of repairs to be completed within sixty days:

7. Install recording apparatus so that the income and outgo of electric current at Albion and Brockport can be more accurately determined, and waste of current, if any, accounted for and recovered.

8. Install three 50 kilowatt 6600 to 13,200 volt transformers at Albion, together with the necessary connections.

9. Install a new arc light system in Albion.

10. To purchase and install proper switchboard devices on the entire system of the company.

11. To purchase and install exciter regulators on the entire system of the company.

12. To purchase and install single-phase feeder regulators on the entire system of the company.

13. To conserve the water power and increase its availability by storing the water so far as possible during the day, supplying power required for the day-load from the operation of the steam plants of the company, so that the maximum water power will be available for the peak-load during the evening hours of greatest consumption.

If at the expiration of the full period of sixty days hereinbefore provided for all the above improvements are substantially completed, and the Commission is satisfied that by reason thereof the people of the village of Albion are receiving adequate and proper service in the premises, then the application of the petitioner to be denied; otherwise to be brought up again for further action and determination of the Commission.

[See Case No. 409, July 23, 1908, page 357; Case No. 296, August 12, 1908, page 300; and Case No. 296, October 14, 1908, page 305.]

[Case No. 399]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 16th
day of July, 1908.**

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the CLEAR CREEK OIL AND GAS COMPANY of Collins Center, N. Y., under section 68 of the Public Service Commissions Law, for permission to lay, maintain, and operate pipes for the conducting and furnishing of natural gas in the town of Collins, Erie county, and for permission and approval of the exercise of rights and privileges therefor under a franchise granted to said company by the town board of said town.

The Clear Creek Oil and Gas Company on July 10, 1908, filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to lay, maintain, and operate gas pipes for conducting and furnishing natural gas in the town of Collins, Erie county, outside of the village of Gowanda, and for permission to exercise rights and privileges for such construction, maintenance, and operation, conferred upon said company by a franchise granted to it by the town board of said town. It appears from the petition and accompanying papers that the petitioner was organized in April, 1908, under the Transportation Corporations Law, to manufacture gas and to produce and acquire natural gas, and to furnish such gas to the public in the towns of Collins and North Collins, Erie county, and the village of Gowanda; that it has obtained from the town of Collins a franchise to lay, maintain, and operate in the streets, lanes, alleys, squares, and highways of said town, pipes for conducting and furnishing to the public natural gas for fuel and lights; that it commenced construction, under said franchise, without knowledge of the provisions of section 68 of the Public Service Commissions Law, and has expended approximately \$12,000 thereon. Upon the aforesaid petition and accompanying papers, after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the laying, maintenance, and operation, by the Clear Creek Oil and Gas Company, in the streets, lanes, alleys, squares, and highways of the town of Collins, Erie county, outside of the village of Gowanda, of gas pipes for conducting and furnishing to the public natural gas for fuel and light; and hereby permits and approves the exercise by said company of rights and privileges therefor conferred on said company by a franchise dated May 9, 1908, granted to said company by the town board of said town.

[See Case No. 571, December 2, 1908, page 378.]

[Case No. 404]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 21st
day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of PETER GOERGEN AND JOSEF GOERGEN, under section 68 of the Public Service Commissions Law, for permission to lay, maintain, and operate pipes for the conducting and furnishing of acetylene gas in the village of Castleton, Rensselaer county, and for permission and approval of the exercise of rights and privileges therefor under a franchise granted to said Josef Goergen by the board of trustees of said village.

Peter Goergen and Josef Goergen having on July 14, 1908, filed with this Commission their petition, under section 68 of the Public Service Commissions Law, for permission to lay, maintain, and operate gas pipes for conducting and furnishing acetylene gas to the public in the village of Castleton, Rensselaer county, and for permission to exercise rights and privileges for such construction, maintenance, and operation conferred upon said Josef Goergen by a franchise from the board of trustees of said village; and a hearing on said petition, after due notice, having been held by this Commission at its office in the Capitol, Albany, on July 21st; and it appearing from the petition and from said franchise that the petitioners have obtained authority from the board of trustees of said village to lay, maintain, and operate therein pipes for conducting and furnishing to the public acetylene gas for light; now, after hearing the petitioners and John Flynn, president of said village, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the laying, maintenance, and operation by Peter Goergen and Josef Goergen, in the streets and public places of the village of Castleton, Rensselaer county, of gas pipes for conducting and furnishing to the public acetylene gas for light, and hereby permits and approves the exercise by said persons of rights and privileges therefor conferred upon them by a franchise dated July 13, 1908, from the board of trustees of said village.

[Case No. 405]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 30th
day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the KANES FALLS ELECTRIC COMPANY, under section 68 of the Public Service Commissions Law, for permission to construct and to exercise rights and privileges under franchises.

The Kanes Falls Electric Company having on July 15, 1908, filed with this Commission its petition, under section 68 of the Public Service Com-

missions Law, for permission to construct an electrical transmission line in the towns of Fort Ann and Kingsbury, Washington county, and Queensbury, Warren county; and for approval of the exercise of rights and privileges therefor under franchises obtained from municipal authorities of said towns; and hearings on said petition, after public notice, having been held by this Commission at its office in the Capitol, Albany, on July 21 and 22, 1908, *Austin & Russell* appearing for the petitioner, and no one else appearing; now, upon the aforesaid petition and accompanying papers and evidence taken at the hearings, and after due deliberation, it is

Ordered: 1. That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the Kanes Falls Electric Company of suitable wires and other conductors, and the necessary poles, pipes, and other fixtures and appurtenances for an electrical transmission line, said transmission line to be used for the purpose of conducting and distributing electricity and electrical energy, in, on, over, along, under, and across streets, highways, and public places in the towns of Fort Ann and Kingsbury, Washington county, and the town of Queensbury, Warren county, as described in the franchises hereinafter mentioned; and hereby permits and approves the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise dated May 9, 1908, granted to said company by the town board of the town of Fort Ann, Washington county; by a franchise dated May 21, 1908, granted to said company by the town board and commissioners of highways of the town of Kingsbury, Washington county; by a franchise dated July 13, 1908, granted to said company by the town board of the town of Queensbury, Warren county, certified copies of which franchises are attached to the petition herein.

Ordered: 2. That said company shall, at each point where said transmission line shall cross a highway, erect a large sign to warn passersby of the dangerous character of the line; and that the character of such signs and their proposed locations shall be submitted to this Commission for approval before construction.

Ordered: 3. That if said company proposes to change the character of construction of said transmission line, it shall notify this Commission, in advance, of the changes proposed.

[Case No. 214]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMLSTED,
Commissioners.

In the matter of the Petition and Supplemental Petition of CITIZENS ELECTRIC SERVICE COMPANY OF BATH, under section 68 of the Public Service Commissions Law, for permission to construct and operate and to exercise rights and privileges under franchises.

The Citizens Electric Service Company of Bath having filed with this Commission its petition and supplemental petition, under section 68 of the Public Service Commissions Law, for permission to construct, maintain, and operate in the highways and public places of the villages of Bath, Avoca, and Savona, and in certain highways and public places of the towns of Bath and Avoca, Steuben county, poles, wires, and other fixtures for the conduct-

ing and furnishing of electricity for light, heat, or power in said villages and towns, and for approval of the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by franchises from the proper municipal authorities of said towns and villages; and hearings having been held on said petitions in the city of Albany on March 16, and in the village of Bath on March 26 and May 14, 1908, *James McCall* and *Monroe Wheeler* appearing for the petitioner, *William H. Nichols* appearing for the Bath Electric and Gas Light Company in opposition, and *Reuben R. Lyon* appearing for residents of Bath; now, upon the aforesaid petitions and accompanying papers and evidence at the hearings, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the Citizens Electric Service Company of Bath, in the highways and public places of the villages of Bath, Avoca, and Savona, and in certain highways and public places of the towns of Bath and Avoca, Steuben county, of poles, wires, and other fixtures for the conducting and furnishing of electricity for light, heat, or power in said villages and towns, and hereby permits and approves the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by a contract and franchise dated January 14, 1908, granted by the president and trustees of the village of Bath; by a franchise dated January 23, 1908, granted by the president and trustees of the village of Avoca; by a franchise dated January 23, 1908, granted by the president and trustees of the village of Savona; by a franchise dated February 13, 1908, granted by the town board of the town of Bath; and by a franchise dated February 12, 1908, granted by the town board of the town of Avoca; copies of which franchises are on file with this Commission.

[Case No. 296]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLTMSTED,
Commissioners.

In the matter of the Petition of the A. L. SWETT ELECTRIC LIGHT AND POWER COMPANY under section 68 of the Public Service Commissions Law.

Upon the filing with this Commission of the affidavit of Sanford T. Church sworn to on the 6th day of August, 1908, detailing the improvements made on the plant of the Albion Power Company by him, as receiver, under the resolution of this Commission dated July 7, 1908; and on filing the report of H. H. Crowell, dated August 11, 1908, confirming in detail the statements made in the affidavit of Receiver Church, and showing that the improvements to the Albion Power Company's plant which were to be begun or completed within thirty days from the 7th day of July, 1908, have been substantially begun or completed, as required by said resolution; and after due deliberation, it is

Ordered: That said receiver of said Albion Power Company is hereby allowed thirty days further time from the 7th day of August, 1908, within which to complete the repairs and improvements contemplated by the resolution of this Commission of July 7, 1908, at the end of which time this Commission will make further disposition of this matter.

[See Case No. 296, resolutions adopted July 7, 1908, page 295; Case No. 409, July 23, 1908, page 357; and Case No. 296, October 14, 1908, page 305.]

[Case No. 426]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the VILLAGE OF
ARCADE, Wyoming county, under section 68 of the
Public Service Commissions Law.

The village of Arcade, Wyoming county, having on August 3, 1908, filed with this Commission its petition under section 68 of the Public Service Commissions Law for a certificate of authority to build, maintain, and operate in said village a plant for furnishing electricity to the public for lighting purposes; and a hearing on said petition, after public notice, having been held by this Commission in the city of Buffalo on August 14, 1908, John Knight appearing for the petitioner; and it appearing that the qualified electors of said village on July 28, 1908, determined by vote that a municipal plant should be established "for supplying the said village and its inhabitants with light," and also determined that mortgage bonds of the village to the amount of \$20,000 should be issued for such purpose; and it further appearing that the present method of lighting in said village is by oil lamps; now, upon the aforesaid petition and accompanying papers and evidence at the hearing, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby authorizes the village of Arcade, Wyoming county, to build, maintain, and operate works and systems for the manufacturing and supplying to the public in said village electricity for lighting purposes.

[Case No. 330]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 24th
day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the BROADALBIN ELECTRIC LIGHT AND POWER COMPANY under section 68
of the Public Service Commissions Law.

The Broadalbin Electric Light and Power Company having on May 5, 1908, filed with this Commission its petition, under section 63 of the Public Service Commissions Law, for permission to construct, maintain, and operate suitable wires or other conductors with the necessary poles, pipes, or other fixtures, in, on, over, and under the streets, avenues, public parks and places, and highways of the towns of Mayfield and Broadalbin, and village of Mayfield, Fulton county, for conducting and distributing electricity in said towns and village; and for approval of the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise granted to said company November 9, 1905, by the town board

of the town of Broadalbin; and by a permit granted to said company in December, 1905, by the highway commissioner of the town of Broadalbin; and by a franchise granted to said company November 24, 1905, by the town board of the town of Mayfield; and by a permit granted to said company in December, 1905, by the highway commissioner of the town of Mayfield; and by a franchise granted to said company November 24, 1905, by the president and trustees of the village of Mayfield; and a public hearing on said petition, after due notice, having been held by this Commission in the Capitol, Albany, on June 8, 1908, *William Pierson Judson* and *H. C. Finch* appearing for the petitioner; now, upon the aforesaid petition and evidence at the hearing, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the Broadalbin Electric Light and Power Company of suitable wires or other conductors with the necessary poles, pipes, or other fixtures, in, on, over, and under the streets, avenues, public parks and places, and highways of the towns of Mayfield and Broadalbin, and the village of Mayfield, Fulton county, for conducting and distributing electricity in said towns and village; and hereby permits and approves the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise granted to said company November 9, 1905, by the town board of the town of Broadalbin; and by a permit granted to said company in December, 1905, by the highway commissioner of the town of Broadalbin; and by a franchise granted to said company November 24, 1905, by the town board of the town of Mayfield; and by a permit granted to said company in December, 1905, by the highway commissioner of the town of Mayfield; and by a franchise granted to said company November 24, 1905, by the president and trustees of the village of Mayfield; copies of which franchises are on file with this Commission.

[Case No. 440]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol in the city of Albany on the 7th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of NEWBURGH LIGHT,
HEAT AND POWER COMPANY under section 68 of the
Public Service Commissions Law for permission and
approval to construct.

The Newburgh Light, Heat and Power Company on September 30, 1908, filed with this Commission its petition under section 68 of the Public Service Commissions Law for permission and approval to construct a high-tension electrical transmission line from its generating station in the city of Newburgh to High Falls in Ulster county, State of New York, and certain branch lines from High Falls and the village of New Paltz to supply electric current to the Ashokan Dam Aqueduct contractors. This petition supplements and amplifies the petition filed by this applicant on August 18, 1908, and on which a hearing was had August 26, 1908, *John L. Wilkie*, of Gould & Wilkie, appearing for the applicant; no one in opposition.

From these petitions and accompanying papers and from the evidence at the hearing it appears that the applicant has entered into a contract for the purchase of electrical energy, generated by water power at Honk Falls, on Rondout creek, Ulster county; that said electrical energy in the amount of 33,000 volts is to be delivered to the applicant at High Falls, Ulster county,

and that it is necessary for the applicant, in order to obtain and use such electrical energy, to construct a transmission line, operating at 33,000 volts, from its present steam generating plant in the city of Newburgh, north through the city and town of Newburgh and the town of Marlborough to a point on the west side of the Hudson river at or near the Poughkeepsie bridge, and from thence northwesterly through the town of Lloyd and the town of New Paltz, passing through the village of New Paltz, to the village of High Falls, Ulster county, a total distance of thirty-one miles; and it further appears that said transmission line from the generating station of the applicant in the city of Newburgh to and through the town of Marlborough, a distance of thirteen miles, is now constructed, owned, maintained, and operated by the applicant, but that it will be necessary to so reconstruct this line as to permit of the transmission of increased electrical energy; that from the northerly boundary of the town of Marlborough through the town of Lloyd, a distance of approximately three miles, a transmission line now constructed, owned, and maintained by Poughkeepsie Light, Heat and Power Company, is proposed to be purchased by the applicant and made a part of its said high-tension transmission line, an order having this day been entered by this Commission upon the application made by Poughkeepsie Light, Heat and Power Company approving of said transfer; that extending from the terminus of said three miles of line, at or near the Poughkeepsie bridge on the west side of the Hudson river, the applicant proposes to construct that part of said transmission line running northwesterly through the town of Lloyd and through the town of New Paltz, passing through the village of New Paltz, to the village of High Falls, a distance of fifteen miles, and that said line within the corporate limits of the village of New Paltz will be erected by the applicant on the pole system of The Electric Light Company of New Paltz, to the express authorization of the trustees of said village, the approval of the Commission having this day been given, upon application duly filed by said Electric Light Company of New Paltz, to the transfer of such rights and privileges; and it further appears that the applicant, for the purpose of supplying electrical energy to the Ashokan Dam Aqueduct contractors, proposes to construct two branch lines extending from said electrical transmission line at or near High Falls: one for a distance of two and one-half miles; and the other, one mile; and two branch lines from the village of New Paltz: one for a distance of two miles; and the other, three and one-half miles; making a total of nine miles of such branch lines; but that the construction of these branch lines is not ready to be submitted to the Commission for approval for the reason that their routes have not been definitely located.

Upon the aforesaid petition and accompanying papers and evidence taken at the hearing, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction by the Newburgh Light, Heat and Power Company of a transmission line to carry 33,000 volts of electrical energy from the steam generating plant of said company in the city of Newburgh, north from said city to and through the town of Newburgh, through the town of Marlborough, through the town of Lloyd to a point on the west side of the Hudson river at or near the Poughkeepsie bridge, and from thence northwesterly through the town of Lloyd and through the town of New Paltz, passing through the village of New Paltz, to the village of High Falls, Ulster county: upon the condition, however, that wherever said transmission line crosses the public highway any required consent of the proper municipal authorities to such crossing shall be obtained, and that there be filed with this Commission a verified statement of the president and secretary of the applicant showing that it has received such required consent.

[See Case No. 282, April 29, 1908, page 343, and three orders Case No. 440, under this same date, pages 325, 326, 371.]

304 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 484]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the SARANAC LAKE
GAS COMPANY, under section 68 of the Public Service
Commissions Law, as to construction and exercise of
franchises.

The Saranac Lake Gas Company having on September 22, 1908, filed with this Commission its petition under section 68 of the Public Service Commissions Law for permission to lay, maintain, and operate pipes and mains for conducting and distributing gas for lighting the streets, alleys, and avenues, and public and private buildings, and for cooking and heating purposes, in the village of Saranac Lake, and for approval of the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise granted to said company by the president and trustees of said village; and public hearings on said petition having been held by this Commission in the Capitol, Albany, on September 30 and October 6, 1908, H. P. Coats and J. H. McNeal appearing for the petitioner, John M. Cantwell appearing for Paul Smith's Electric Light and Power and Railroad Company in opposition; now, upon the aforesaid petition and accompanying papers, and after hearing counsel, and after reading and filing the answer and objections of Paul Smith's Electric Light and Power and Railroad Company to said petition, and upon the evidence at the hearings, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the Saranac Lake Gas Company, in and through all the public streets, alleys, and avenues of the village of Saranac Lake, and all of the streets, alleys, and avenues which may be hereafter laid out or opened in said village, of pipes and mains for conducting and distributing gas for lighting the streets, alleys, and avenues, and public and private buildings, and for cooking and heating purposes, in the village of Saranac Lake, and hereby permits and approves the exercise of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise granted to said company September 1, 1908, by the president and trustees of the village of Saranac Lake.

[Case No. 185]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 12th day
of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of OSWEGATCHIE LIGHT
AND POWER COMPANY *against* NORTHERN POWER COM-
PANY.

The Oswegatchie Light and Power Company having on December 31, 1907, filed with this Commission a complaint against the Northern Power Company,

alleging "that said Northern Power Company is about to begin the construction and erection of lines, poles, and wires in the streets of the said village of Gouverneur, for the transmitting and distributing of electricity in said village, without having obtained the permission and approval of your Commission, all of which is in violation of section 68 of the Public Service Commissions Law"; and reciting "that the undersigned complainant herein, Oswegatchie Light and Power Company, is now and for many years past has been serving said village of Gouverneur and the residents thereof with electricity for light and power, under a franchise granted to it by said village and exercised for many years past"; and praying "that the said Northern Power Company may be required to answer this complaint, and that this Commission will make such investigation of the matters involved in this complaint and will take such action thereon, and institute such proceedings as may seem just and proper"; and the Northern Power Company having answered said complaint, and hearings thereon having been held by this Commission in Albany on March 3, 1908, and in Gouverneur on June 5th; *Harris, Havens, Beach & Harris, Kendal B. Castle, V. P. Abbott, and C. Arthur Parker* appearing for complainant; *King, Waters & Page, Conger & Orvis, and George E. VanKennen* appearing for the Northern Power Company; now, upon the aforesaid complaint and answer and due consideration of the evidence and briefs of counsel, it is

Ordered: That the complaint in this proceeding be and is hereby dismissed.

[Case No. 296]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the A. L. SWETT ELECTRIC LIGHT AND POWER COMPANY, under section 68 of the Public Service Commissions Law, as to new construction and exercise of franchises.

The A. L. Swett Electric Light and Power Company having on March 31, 1908, filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to construct, maintain, and operate an electric light, heat, and power line in the towns of Ridgeway and Albion and village of Albion, Orleans county, and for approval of the exercise of rights and privileges for such construction, maintenance, and operation received from municipal authorities; and public hearings on said petition having been held by this Commission in the city of Buffalo on April 30th, June 30th, and September 25th, and in the village of Albion on June 4th; *Thomas A. Kirby* and *Thomas Woods* appearing for the petitioner; *Sanford T. Church* appearing for bondholders' committee and as receiver of the Albion Power Company in opposition; *Moot. Sprague, Brownell & Marcy* also appearing for bondholders' committee of the Albion Power Company in opposition; *J. L. Romer* appearing for certain bondholders of the Albion Power Company; *James E. Burnett* also appearing for bondholders' committee of the Albion Power Company; *Henry W. Sprague* appearing for the receiver of the Albion Power Company in opposition; now, upon the aforesaid petition and accompanying papers and evidence at the hearings, and after due deliberation, it is

Ordered: 1. That that portion of the petition dated March 23, 1908, of the A. L. Swett Electric Light and Power Company which prays for permission

to construct, maintain, and operate an electric light, heat, and power line in the village of Albion, Orleans county, and for approval of the exercise of rights and privileges therefor conferred on said company by a franchise dated November 18, 1907, from said village, be and the same is hereby denied.

Ordered: 2. That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the A. L. Swett Electric Light and Power Company of poles, wires, cables, and appurtenances in, through, under, and along the highways, streets, alleys, and public places of the town of Ridgeway, Orleans county, for the transmission, sale, and distribution of electric current for light, heat, and power; and hereby permits and approves the exercise by said company of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise granted to said company December 30, 1905, by the town board and highway commissioner of the town of Ridgeway, Orleans county, a certified copy of which franchise is on file with this Commission.

Ordered: 3. That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the A. L. Swett Electric Light and Power Company of poles, wires, cables, and appurtenances in, through, under, and along the highways, streets, alleys, and public places of the town of Albion, Orleans county, for the transmission, sale, and distribution of electric current for light, heat, and power; and hereby permits and approves the exercise by said company of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise granted to said company April 3, 1907, by the town board and highway commissioner of the town of Albion, Orleans county, a certified copy of which franchise is on file with this Commission. But nothing herein contained shall be in any way construed as authority to the said company to exercise any rights or begin any construction in the village of Albion, Orleans county.

[See Case No. 296, resolutions adopted July 7, 1908, page 295; Case No. 409, July 23, 1908, page 357; Case No. 296, August 12, 1908, page 300; and Case No. 455, next following.]

[Case No. 455]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBOURNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMLSTED,
Commissioners.

In the matter of the Complaint of SANFORD T. CHURCH,
RECEIVER OF THE ALBION POWER COMPANY, against A.
L. SWETT ELECTRIC LIGHT AND POWER COMPANY of
Medina, N. Y.

Whereas, On the hearing held at Buffalo, N. Y., on the 25th day of September, 1908, in the matter of the complaint of Sanford T. Church, receiver of the Albion Power Company, against the A. L. Swett Electric Light and Power Company of Medina, N. Y., it appeared from the evidence adduced that the respondent has committed some of the acts complained of in the petition herein, but that said company had acted under advice of counsel, believing that it had the legal right to construct its lines in the towns of Albion and Ridgeway, and without intention to do anything not permitted to be done by law; and

Whereas, By the order of this Commission this day entered in case of the petition of the A. L. Swett Electric Light and Power Company to exercise franchises in the towns of Ridgeway and Albion (Case No. 296), permission has been granted to the respondent to construct its lines in the towns of Ridgeway and Albion and exercise its franchises therein; it is

Ordered: That this case be considered closed upon the records of the Commission, the issues raised therein having been fully disposed of by the order in Case No. 296 above referred to.

[See Case No. 296, next preceding.]

[Case No. 473]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the matter of the Petition of the SCHENECTADY POWER COMPANY, under section 68 of the Public Service Commissions Law, as to new construction and exercise of franchise.

The Schenectady Power Company having on September 18, 1908, filed with this Commission its petition under section 68 of the Public Service Commissions Law for permission to construct, maintain, and operate an overhead transmission line for electricity across certain streets and village property in the village of Scotia, Schenectady county, and for approval of the exercise of rights and privileges for such construction, maintenance, and operation under a franchise received from said village; and a public hearing on said petition having been held by this Commission in the city of Albany on September 29, 1908, James O. Carr appearing for the petitioner, and Harris & Rudd appearing for The New York Central and Hudson River Railroad Company; now, upon the aforesaid petition and accompanying papers and statements at the hearing, and after due deliberation, it is

Ordered: That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the construction, maintenance, and operation by the Schenectady Power Company of an overhead transmission line for electricity in the village of Scotia, Schenectady county, and hereby permits and approves the exercise by said company of rights and privileges for such construction, maintenance, and operation conferred on said company by a franchise granted to said company by the president and board of trustees of said village on August 4, 1908, a certified copy of which franchise is on file with this Commission; said transmission line to be constructed in conformity to the plans filed with this Commission by said company.

308 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 559]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 25th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the CHASM POWER COMPANY under section 68 of the Public Service Commissions Law.

The Chasm Power Company having on November 9, 1908, filed with this Commission its petition, under section 68 of the Public Service Commissions Law, for permission to maintain and operate in the towns of Bellmont, Burke, and Malone, Franklin county, poles and wires for transmitting and furnishing electricity to the public, and for approval of the exercise of rights and privileges for such maintenance and operation under franchises received from local authorities; and a public hearing on said petition, after due notice, having been held in the city of Albany on November 23, 1908, A. B. Cooney appearing for the petitioner, and no one else appearing; and it appearing that the articles of association of said company did not name said towns as territory in which this petitioner could operate, and that said articles of association have been corrected in this respect; now, upon the aforesaid petition and accompanying papers, and after hearing counsel, it is

Ordered: That the franchises granted by the towns of Bellmont, Burke, and Malone to the Chasm Power Company, and set forth in its application to this Commission under section 68 of the Public Service Commissions Law, be and the same hereby are approved, and that the permission of this Commission is given to the said Chasm Power Company to exercise all the rights and privileges conferred by the said franchises and each of them.

[Case No. 445]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2d day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the TRI-COUNTY NATURAL GAS COMPANY, under sections 68 and 70 of the Public Service Commissions Law.

The Tri-County Natural Gas Company having on August 10, 1908, filed with this Commission its petition under section 68 of the Public Service Commissions Law for permission to lay, maintain, and operate pipes for conducting and furnishing to the public natural gas for lighting, heating, cooking, and manufacturing purposes in portions of the towns of LeRoy, Genesee county; Caledonia, Livingston county; Wheatland, Monroe county; and in the village of Caledonia, Livingston county; and for approval of the exercise of rights and privileges for such construction, maintenance, and operation

under franchises granted by municipal authorities; and under section 70 of the Public Service Commissions Law for consent to acquire from Frank C. Southerland of Canandaigua, N. Y., the franchises from municipal authorities under which it proposes to construct and operate, which franchises were granted to said Southerland or his assigns and have been transferred to this petitioner; and also under section 70 of the Public Service Commissions Law for consent to acquire from said Southerland a certain contract made between him and the Pavilion Natural Gas Company as to the furnishing by said Pavilion Natural Gas Company to said Southerland or his assigns, natural gas; and a hearing on said petition having been held by Commissioners Stevens and Olmsted of this Commission in the city of Buffalo on November 27, 1908, *J. S. L. Purdy* appearing for the petitioner, and *William S. McKenzie*, supervisor of the town of Caledonia, appearing for said town; now, upon the aforesaid petition and accompanying papers and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under section 68 of the Public Service Commissions Law this Commission hereby permits and approves the laying, maintenance, and operation by the Tri-County Natural Gas Company, in portions of the towns of LeRoy, Genesee county; Caledonia, Livingston county; Wheatland, Monroe county; and in the village of Caledonia, Livingston county, of pipes for conducting and furnishing to the public natural gas for lighting, heating, cooking, and manufacturing purposes, and hereby permits and approves the exercise by said company of rights and privileges therefor, under franchises from said towns and village granted to Frank C. Southerland of Canandaigua, N. Y., and transferred by him to said company, said transfers being consented to in this order, said franchises being: 1. A franchise dated May 21, 1908, from the town of LeRoy, Genesee county, to Frank C. Southerland of Canandaigua, N. Y., and transferred to this petitioner August 1, 1908; 2. A franchise dated May 15, 1908, from the town of Caledonia, Livingston county, to Frank C. Southerland of Canandaigua, N. Y., and transferred to this petitioner August 1, 1908; 3. A franchise dated April 16, 1908, from the town of Wheatland, Monroe county, to Frank C. Southerland of Canandaigua, N. Y., and transferred to this petitioner August 1, 1908; 4. A franchise dated April 3, 1908, from the village of Caledonia, Livingston county, to Frank C. Southerland of Canandaigua, N. Y., and transferred to this petitioner August 1, 1908.

Ordered: 2. That under section 70 of the Public Service Commissions Law this Commission hereby consents to the transfer by Frank C. Southerland of Canandaigua, N. Y., to the Tri-County Natural Gas Company of the municipal franchises hereinbefore described, and hereby consents to the acquirement thereof by said company.

Ordered: 3. That under section 70 of the Public Service Commissions Law this Commission hereby consents to the transfer by Frank C. Southerland of Canandaigua, N. Y., to the Tri-County Natural Gas Company of a certain contract dated May 9, 1908, made between said Southerland and the Pavilion Natural Gas Company, as to the furnishing by said Pavilion Natural Gas Company to said Southerland or his assigns, natural gas, and hereby consents that said Tri-County Natural Gas Company may exercise all the rights and privileges granted by said contract.

[See Case No. 445, December 2, 1908, page 377.]

310 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 645]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Petition of LAVERN W. LAZELL
and LUMAN W. PIERCE, under section 68 of the Public
Service Commissions Law.

Lavern W. Lazell and Luman W. Pierce having filed with this Commission their petition under section 68 of the Public Service Commissions Law for permission to begin construction, and to construct and operate an acetylene gas plant and distribution system in a portion of the town of Stockton, Chautauqua county, and for permission to exercise rights and privileges for such construction and operation conferred upon said petitioners by a franchise granted to said petitioners by the commissioner of highways of said town; now, upon the aforesaid petition, and after due deliberation, it is

Ordered: That the franchise granted to Lavern W. Lazell and Luman W. Pierce by the commissioner of highways of the town of Stockton on the 30th day of November, 1908, a copy of which franchise is annexed to the petition of said Lazell and Pierce for its approval, be and the same is hereby approved, and that permission be and the same is hereby granted to said Lazell and Pierce to begin construction, and to construct and operate an acetylene gas plant and distribution system as prayed for in their petition verified December 7, 1908.

[Case No. 661]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Petition of the VILLAGE OF BERGEN, Genesee county, under section 68 of the Public Service Commissions Law, for a certificate of authority to build, maintain, and operate works and systems for the manufacture and supplying the inhabitants of said village with electricity for lighting purposes.

The village of Bergen, Genesee county, having on December 26, 1908, filed with this Commission its petition under section 68 of the Public Service Commissions Law for a certificate of authority to build, maintain, and operate electric works and systems for the manufacture and supplying electricity for lighting purposes to the inhabitants of said village; and it appearing from the petition that a proposition to establish such works and systems for said purpose and for municipal purposes, at an expense of not exceeding \$6000, was adopted by the qualified voters of said village at a special election held in said village on the 8th day of December, 1908; and it further appearing

from the petition that there are no gas or electrical corporations now doing business within said village; now, upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: That said petition be and it is hereby granted, and this Commission, under section 68 of the Public Service Commissions Law, hereby authorizes the village of Bergen, Genesee county, to build, maintain, and operate electric works and systems for the manufacture and supplying electricity for lighting purposes to the inhabitants of said village.

[See Case No. 310, April 16, 1908, page 318; Case No. 311, April 16, 1908, page 292; Case No. 417, November 25, 1908, page 462; and Case No. 417, December 8, 1908, page 328.]

APPENDIX I.

IN THE MATTER OF TRANSFER, LEASE, OR ASSIGNMENT OF FRANCHISE BY ELECTRICAL CORPORATIONS AND GAS CORPORATIONS.

APPENDIX I.

[Case No. 211]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBOENE,
MARTIN S. DECKER,
JAMES E. SAGUE,

Commissioners.

In the matter of the Petition of the ALDEN-BATAVIA NATURAL GAS COMPANY, and GEORGE W. ARCHER and AUGUSTA M. ARCHER, under section 70 of the Public Service Commissions Law, as to the acquirement by the Alden-Batavia Natural Gas Company of the capital stock of the Corfu Gas Company.

The Alden-Batavia Natural Gas Company on February 5, 1908, filed with this Commission a petition, under section 70 of the Public Service Commissions Law, for authority to acquire the entire outstanding capital stock of the Corfu Gas Company, the par value of which is \$20,000, the petitioner proposing to pay therefor \$8500; the petition is joined in by George W. Archer and Augusta M. Archer, who are the owners of all of the capital stock of the Corfu Gas Company.

It appears from the petition that the Corfu company is the owner of six small gas wells in the immediate vicinity of the village of Corfu, Genesee county, and has since its incorporation in 1896 supplied natural gas to consumers in said village; that the supply of gas from said wells has lessened and is now sufficient to supply but a small fraction of the amount of gas for which there is a demand in said village; that the Corfu company has not territory upon which to drill to further increase its supply of gas, and that the said George W. Archer and Augusta M. Archer desire to dispose of the capital stock of said company; that the Alden-Batavia company is ready to purchase said \$20,000 capital stock for the sum of \$8500; that the Alden-Batavia company has a number of wells near the village of Corfu, and that its main gas line from the Alden field to the village of Batavia runs through the village of Corfu; that the Alden-Batavia company has sufficient gas to abundantly supply the village of Corfu; that unless the village is so supplied by the Alden-Batavia company, it will be necessary, in many instances, that other sources of heat than natural gas shall be utilized. Upon this state of facts, and after due deliberation, it is

Ordered: That under section 70 of the Public Service Commissions Law this Commission hereby authorizes the Alden-Batavia Natural Gas Company to acquire the entire capital stock of Corfu Gas Company, the par value of which is \$20,000, and all of which is now outstanding, and to pay for the same not to exceed \$8500.

316 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 223]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the UTICA GAS AND ELECTRIC COMPANY for an order ratifying and confirming the order of the State Commission of Gas and Electricity authorizing the acquisition of the capital stock of the Herkimer County Light and Power Company, the Glens Falls Gas and Electric Light Company, the Consolidated Light and Power Company of Whitehall, N. Y., and 51 per cent. of the capital stock of the United Gas, Electric Light and Fuel Company of Sandy Hill and Fort Edward, N. Y., the merger of the Herkimer County Light and Power Company under the provisions of section 58 of the Transportation Corporations Law, and the issue of refunding and extension mortgage bonds and approving said issue of bonds.

Application having been duly made to this Commission by the Utica Gas and Electric Company by petition duly verified asking for an order ratifying and confirming the order of the State Commission of Gas and Electricity made and entered June 28, 1907, authorizing the purchase by the Utica Gas and Electric Company of the capital stock of the Herkimer County Light and Power Company, the Glens Falls Gas and Electric Light Company, the Consolidated Light and Power Company of Whitehall, N. Y., and 51 per cent. of the capital stock of the United Gas, Electric Light and Fuel Company of Sandy Hill and Fort Edward, N. Y., the merger of the Herkimer County Light and Power Company under the provisions of section 58 of the Transportation Corporations Law, and the issue of \$2,000,000 par value refunding and extension mortgage bonds and approving said issue of bonds; now, after hearing *Samuel A. Beardsley* as counsel for said petitioner, and after reading and filing said petition, and on all the papers and proceedings had and taken herein on the original application before the State Commission of Gas and Electricity, and on the order made thereon by said Commission entered June 28, 1907, all of which are hereby made a part of the record herein; and it appearing that the acts and proceedings authorized by said order of the Commission of June 28, 1907, have been substantially complied with by said petitioner; and a question having been raised as to the validity of said issue of bonds because of the fact that the mortgage was not recorded until July 1, 1907, and the bonds secured thereby not issued until after that date, the said law creating the State Commission of Gas and Electricity having then been repealed, and the Public Service Commissions Law then being in force and effect whereby it is required that the consent of such Public Service Commission is necessary to the lawful issue of bonds of gas and electrical companies; now, therefore, it is

Ordered: That said order of the State Commission of Gas and Electricity made and entered June 28, 1907, authorizing the purchase by the Utica Gas and Electric Company of the capital stock of the Herkimer County Light and Power Company, the Glens Falls Gas and Electric Light Company, the Consolidated Light and Power Company of Whitehall, N. Y., and 51 per cent. of the capital stock of the United Gas, Electric Light and Fuel Company of Sandy Hill and Fort Edward, N. Y., the merger of the Herkimer County Light and Power Company under the provisions of section 58 of the Transportation Corporations Law, and the issue of \$2,000,000 refunding and ex-

tension mortgage bonds, is hereby ratified and confirmed, and said issue of \$2,000,000 par value refunding and extension mortgage bonds authorized and approved. It is further

Ordered: That the petitioner herein, the Utica Gas and Electric Company, report to this Commission, under oath of its treasurer, the sale or sales of the obligations authorized hereby and the amounts realized therefrom, and make a verified report, under oath of its treasurer, at least once every six months from the date of said sales, showing in detail the use and application by it of the money so realized until such money shall have been fully expended.

[Case No. 264]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of SAMUEL G. KEYES, under section 70 of the Public Service Commissions Law, for consent to transfer the property, property rights, and franchises of an electric light, heat, and power plant in the village of Gowanda, N. Y., to the Keyes Electric Company.

Samuel G. Keyes of Gowanda, N. Y., on January 14, 1908, filed with this Commission his petition under section 70 of the Public Service Commissions Law for consent to transfer to the Keyes Electric Company the property, property rights, and franchises of an electric light, heat, and power plant in the village of Gowanda, N. Y., owned by him. It appears from the petition that in December, 1907, this petitioner purchased at foreclosure sale the property, property rights, and franchises of the Consolidated Electric Light and Power Company of Gowanda, N. Y.; that he paid therefor \$11,600; that he is now operating the said plant; that the Keyes Electric Company was incorporated under the Transportation Corporations Law in January, 1908, to manufacture and furnish to public and private consumers electricity for light, heat, and power in the village of Gowanda, Erie and Cattaraugus counties; town of Collins, Erie county; and the towns of Persia and Perrysburg, Cattaraugus county; that this petitioner desires to transfer, for the consideration of \$12,000, to said company, the property, property rights, and franchises of the said Consolidated Electric Light and Power Company of Gowanda, N. Y., so purchased by him. Upon the aforesaid petition, and after due deliberation, it is

Ordered: That this Commission hereby consents, under section 70 of the Public Service Commissions Law, to the transfer, for the consideration of \$12,000, by Samuel G. Keyes of Gowanda, N. Y., to the Keyes Electric Company of Gowanda, N. Y., of the property, property rights, and franchises of the former Consolidated Electric Light and Power Company of Gowanda, which were purchased by said Samuel G. Keyes at foreclosure sale in December, 1907.

[See Case No. 265, March 17, 1908, page 339.]

318 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 310]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petitions of DECATUR C. LEWELLYN (acting administrator) of the village of Bergen, and the GENESEE COUNTY ELECTRIC LIGHT, POWER AND GAS COMPANY of the village of Batavia, Genesee county, N. Y., under section 70 of the Public Service Commissions Law, as to the acquirement by the Genesee County Electric Light, Power and Gas Company of an electric light franchise, works, and system in the village of Bergen.

Decatur C. Lewellyn, acting administrator of the estate of Bert L. Lewellyn, deceased, and the Genesee County Electric Light, Power and Gas Company, on April 16, 1908, filed with this Commission petitions under section 70 of the Public Service Commissions Law for consent of this Commission to the transfer by sale from the estate of Bert L. Lewellyn to the Genesee County Electric Light, Power and Gas Company of an electric light franchise, works, and system in the village of Bergen, Genesee county, N. Y., formerly owned by Bert L. Lewellyn, deceased. Attached to the petitions is a copy of an agreement between said company and Mary Lewellyn and Decatur C. Lewellyn, as administrators of the estate of Bert L. Lewellyn, by which said administrators agree to sell to said company, and said company agrees to purchase, for the sum of \$750, said electric light franchise, works, and system, excluding the engine and boiler. It appears from the petition of the company that it does not intend to operate said plant under the franchise granted to Lewellyn, but under franchises granted to itself by the village of Bergen, which franchises have been approved by this Commission on this date. Upon said state of facts, and after due deliberation, it is

Ordered: That under section 70 of the Public Service Commissions Law this Commission hereby consents to the transfer from the administrators of the estate of Bert L. Lewellyn to the Genesee County Electric Light, Power and Gas Company of the electric light franchise, works, and system in the village of Bergen, Genesee county, N. Y., formerly owned by Bert L. Lewellyn, deceased, for the sum of \$750, excluding an engine and boiler.

[See Case No. 311, April 16, 1908, page 292; Case No. 417, November 25, 1908, page 462; Case No. 417, December 8, 1908, page 328; and Case No. 661, December 29, 1908, page 310.]

[Case No. 342]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 3rd
day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of WALTER F. NEWTON,
JAMES A. MORRIS, and LAUREN M. FITCH, joined in
by the WELLS ISLAND LIGHT AND HEAT COMPANY,
under section 70 of the Public Service Commissions
Law.

Walter F. Newton, James A. Morris, and Lauren M. Fitch, on May 19, 1908, filed with this Commission their petition, under section 70 of the Public Service Commissions Law, for consent to transfer to the Wells Island Light and Heat Company a lease and franchise, works and system, of a complete acetylene gas plant on the grounds of the Thousand Island Park Association. The petition is joined in by the Wells Island Light and Heat Company. From the petition and accompanying papers it appears that the said individuals have received from the Thousand Island Park Association a lease and franchise dated July 29, 1907, for the construction and operation of an acetylene gas plant on the grounds of said association on Wells Island, in the St. Lawrence river, town of Orleans, Jefferson county, and have received certain consents of property owners or lease owners to the laying of gas pipes; that the Wells Island Light and Heat Company was organized on August 24, 1907, under the Transportation Corporations Law, to manufacture and furnish, on the said grounds of the Thousand Island Park Association, acetylene gas for lighting the streets and buildings on said grounds; that said individuals have agreed with said company to transfer to it a complete acetylene gas plant, including land, a building, machinery for the making of the gas, pipes in the streets, meters, connections, the said lease and franchise to operate the same, and the said consents of property owners or lease owners to lay gas pipes; that the consideration of said transfer is to be \$8000 par value of the common capital stock of said company; that the construction of said plant has been begun by said individuals and that they intend, in good faith, to complete the same and carry out said agreement with this petitioner. Upon the aforesaid petition, and after due deliberation, it is

Ordered: That this Commission hereby consents, under section 70 of the Public Service Commissions Law, to the transfer, for the consideration of \$8000 of the common capital stock at par of the Wells Island Light and Heat Company, by Walter F. Newton, James A. Morris, and Lauren M. Fitch, to the said Wells Island Light and Heat Company, of a lease and franchise dated July 29, 1907, received by said individuals from the Thousand Island Park Association, for the construction and operation of an acetylene gas plant on the grounds of said association on Wells Island, in the St. Lawrence river, town of Orleans, Jefferson county, and of a complete acetylene gas plant, works and system, including land, a building, machinery for the making of the gas, pipes in the streets, meters, and connections, to be constructed by said individuals under said lease and franchise on said Wells Island, and including consents of property owners or lease owners to the laying of gas pipes.

[See Case No. 340, June 3, 1908, page 353, and Case No. 341, June 3, 1908, page 293.]

320 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 338]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 11th
day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of THE TWIN STATE GAS
AND ELECTRIC COMPANY under section 70 of the Pub-
lic Service Commissions Law for authority to acquire
all of the capital stock of the Hoosick Falls Illumi-
nating Company.

After due deliberation, it is

Ordered: That this petition be and it is hereby denied.
[See case next following.]

[Case No. 339]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 11th
day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Joint Petition of the HOOSICK
FALLS ILLUMINATING COMPANY and THE TWIN STATE
GAS AND ELECTRIC COMPANY, under section 70 of
the Public Service Commissions Law, for authority to
the Hoosick Falls Illuminating Company to transfer
its franchises, works, and system to The Twin State
Gas and Electric Company by merger.

After due deliberation, it is

Ordered: That this petition be and it is hereby denied.
[See preceding case.]

[Case No. 344]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 11th
day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Joint Petition, under sections 54 and 70 of the Public Service Commissions Law, of CHARLOTTE E. GEORGER of Buffalo, N. Y., and the LIMA-HONEOYE ELECTRIC LIGHT AND RAILROAD COMPANY, for approval and consent to the transfer of the property, property rights, and franchises of the former Lima-Honeoye Electric Light and Railroad Company, which are now owned by said Charlotte E. Georger, to the present Lima-Honeoye Electric Light and Railroad Company.

On May 26, 1908, there was filed with this Commission a joint petition of Charlotte E. Georger of Buffalo, N. Y., and the Lima-Honeoye Electric Light and Railroad Company, under sections 54 and 70 of the Public Service Commissions Law, for approval and consent to the transfer of the franchises and property of the former Lima-Honeoye Electric Light and Railroad Company, which are now owned by said Charlotte E. Georger, to the present Lima-Honeoye Electric Light and Railroad Company. A hearing on this petition, after public notice, was held by Commissioners Stevens and Olmsted in the city of Rochester on June 5, 1908, at which James O. Moore appeared for the petitioner; no one else appeared.

From the petition and accompanying papers and from evidence at the hearing it appears that the former Lima-Honeoye Electric Light and Railroad Company was organized pursuant to the provisions of the Transportation Corporations Law and section 21 of the Railroad Law, and after its organization was duly dissolved by an order of the Supreme Court, a receiver duly appointed, and all of its property and effects and franchises, pursuant to the order of the Court, were duly sold at public sale and are now owned and operated by said Charlotte E. Georger; that the present Lima-Honeoye Electric Light and Railroad Company was organized pursuant to the provisions of section 3 of the Stock Corporation Law, by the filing of a reorganization certificate with the Secretary of State on March 19, 1908; that the organization of said present Lima-Honeoye Electric Light and Railroad Company has been perfected, officers selected, and that it has entered into a contract with the said Charlotte E. Georger for the purchase of the said former Lima-Honeoye Electric Light and Railroad Company, its franchises and properties, and is desirous of issuing common capital stock in payment for the same; that the said Lima-Honeoye Electric Light and Railroad Company has never issued any capital stock. Upon the aforesaid petition, and after due deliberation, it is

Ordered: That this Commission under sections 54 and 70 of the Public Service Commissions Law hereby approves of and consents to the transfer, for the consideration of \$5000, either in cash or in the common capital stock of the Lima-Honeoye Electric Light and Railroad Company, at par, by Charlotte E. Georger of Buffalo, N. Y., to the Lima-Honeoye Electric Light and Railroad Company of the property, property rights, and franchises

of the former Lima-Honeoye Electric Light and Railroad Company, as described in the petition and papers attached thereto, including an agreement dated April 20, 1908, between the said Charlotte E. Georger and the Lima-Honeoye Electric Light and Railroad Company.

[See Case No. 332, June 11, 1908, page 167.]

[Case No. 367]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the FLORAL PARK LIGHT AND POWER COMPANY, joined in by the NASSAU LIGHT AND POWER COMPANY, under section 70 of the Public Service Commissions Law.

The Floral Park Light and Power Company on June 16, 1908, filed with this Commission its petition, under section 70 of the Public Service Commissions Law, for consent to transfer to the Nassau Light and Power Company its franchises, works, and system. The petition is joined in by the Nassau Light and Power Company. A hearing on this petition, after public notice and notice to the supervisor of the town of Hempstead, Nassau county, was held by this Commission at the office of the Commission in the Capitol, Albany, on July 8, 1908; Charles J. Tobin appeared for the Floral Park Light and Power Company, and Henry A. Uterhart appeared for the Nassau Light and Power Company; no one else appeared.

It appears from the petition and accompanying papers and statements at the hearing that the Floral Park company does a small electric lighting business at Floral Park in the town of Hempstead, Nassau county; that it has but thirty-one customers; that it was originally organized as a part of the plant of the Childs Seed Company, "and the business of supplying private customers with electric light was taken up rather as an accommodation to persons in the immediate vicinity than with a view to making profit thereby"; that it is not in condition to meet new demands upon it to furnish electricity, and is unable to obtain new capital, as the persons owning it are not interested in doing an electric light business; that it has outstanding \$24,020 common capital stock; that no mortgage or mortgage bonds or preferred stock are outstanding; that the local franchises proposed to be transferred to the Nassau company are: one dated August 11, 1902, from the town board of the town of Hempstead, Nassau county, to the Floral Park company; and one dated October 4, 1902, from the board of highway commissioners of the town of Hempstead, Nassau county, to the Floral Park company; that \$8000 has already been paid to the Floral Park company by the Nassau company for its franchises, works, and system, but that the agreement between said companies provides for the return of this money if this Commission does not consent to the said transfer. Upon the aforesaid petition and accompanying papers and statements at the hearing, and after due deliberation, it is

Ordered: That this Commission hereby consents, under section 70 of the Public Service Commissions Law, to the transfer, for the consideration of \$8000, by the Floral Park Light and Power Company to the Nassau Light and Power Company, of the franchises, works, and system, situated at Floral Park, Nassau county, of the Floral Park Light and Power Company.

[Case No. 386]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 23rd day
of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Petition of the CHATEAUGAY
ELECTRIC LIGHT AND POWER COMPANY under sec-
tion 70 of the Public Service Commissions Law.

The Chateaugay Electric Light and Power Company having on June 30, 1908, filed with this Commission its petition under section 70 of the Public Service Commissions Law for consent to transfer to the Chasm Power Company of Chateaugay, Franklin county, its franchise, works, and system; and having on July 23d filed an amended petition; and a hearing in said matter having been held by Chairman Stevens of this Commission on July 23d, F. G. Shufelt appearing for the petitioner; and it appearing that the plant of the petitioner is but a small one, it having about ten customers, and its income for furnishing such customers with electric light being considerably less than cost; and it further appearing that the Chasm Power Company is now furnishing electricity for light and power to the public in the village of Chateaugay, and that this transfer will result in better service to such customers as this petitioner now has; and it further appearing that all of the stockholders of this petitioner have consented to the transfer; and it further appearing that the Chasm Power Company has agreed to buy the franchise and plant of this petitioner, and to pay therefor \$3000 in cash; now, upon the aforesaid amended petition and evidence at the hearing, and after due deliberation, it is

Ordered: That this Commission hereby consents, under section 70 of the Public Service Commissions Law, to the transfer, for the consideration of \$3000 cash, by the Chateaugay Electric Light and Power Company to the Chasm Power Company, of the franchise, works, and system, situated in the village of Chateaugay, Franklin county, of the Chateaugay Electric Light and Power Company.

[Case No. 308]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 19th
day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
Commissioners.

In the matter of the Petition of the HUDSON RIVER
ELECTRIC COMPANY, under section 70 of the Public
Service Commissions Law, for consent to transfer to
the Hudson River Water Power Company an electric
power transmission line running from Ballston Spa
to Alplaus, and for authority to acquire bonds of
Hudson River Water Power Company in the sum
of \$61,000 in payment therefor.

The Hudson River Electric Company having on the 7th day of April, 1908, filed with this Commission its petition under section 70 of the Public Service Commissions Law for consent to transfer to the Hudson River Water

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Power Company an electric power transmission line constructed and owned by said applicant, and extending from Ballston Spa, Saratoga county, to Alplaus, Schenectady county, State of New York, and for authority to acquire fifty-one of the first mortgage bonds of the denomination of \$1000 each of the Hudson River Water Power Company in payment therefor; and hearings having been held on said petition by this Commission at its office in the Capitol, Albany, on April 28 and July 9, 1908, *Harry B. Austin* appearing for the petitioner; now, upon the aforesaid petition and papers accompanying the same and the evidence taken at the hearings, and after due deliberation, it is

Ordered: That said petition be and is hereby denied.

[Case No. 430]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of SARSFIELD J. DELANEY,
JAY FRANCIS, and EDWARD L. THORNTON, under
section 70 of the Public Service Commissions Law.

Sarsfield J. DeLaney, Jay Francis, and Edward L. Thornton having on July 31, 1908, filed with this Commission their joint petition, under section 70 of the Public Service Commissions Law, for consent to said DeLaney and Francis to transfer to Edward L. Thornton the franchise, works, and system of an electric light plant now being operated in the hamlet of Heuvelton, St. Lawrence county, owned by said DeLaney and Francis and used to furnish electric light to the public; and it appearing that by an agreement dated November 11, 1905, between these petitioners, it is provided that Edward L. Thornton at his option may make such purchase; now, upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: That this Commission hereby consents, under section 70 of the Public Service Commissions Law, to the transfer by Sarsfield J. DeLaney and Jay Francis of Ogdensburg, N. Y., to Edward L. Thornton of Chicago, Illinois, of the franchise, works, and system of an electric light plant owned by said DeLaney and Francis in the hamlet of Heuvelton, St. Lawrence county.

[Case No. 440]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, at the Capitol, Albany, on the 7th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of NEWBURGH LIGHT, HEAT AND POWER COMPANY for leave to issue its convertible debenture bonds in the aggregate amount of \$350,000.

In the matter of the Application of THE ELECTRIC LIGHT COMPANY OF NEW PALTZ for approval of the use of its pole line in the village of New Paltz by Newburgh Light, Heat and Power Company in connection with its transmission line from High Falls.

The Electric Light Company of New Paltz on the 30th day of September, 1908, filed with this Commission its petition under section 70 of the Public Service Commissions Law for consent to transfer or lease a part of its works, system, and franchise, to wit: to transfer or lease for a certain term of years to the Newburgh Light, Heat and Power Company the use of its pole line in the village of New Paltz, county of Ulster, for the erection thereon by said Newburgh Light, Heat and Power Company of a high-tension electric transmission line.

This petition supplements and amplifies the petition filed by the Newburgh Light, Heat and Power Company on August 18, 1908, and on which a hearing was had August 26, 1908, John S. Wilkie, of Gould & Wilkie, appearing for the applicant; no one in opposition.

From these petitions and accompanying papers and from the evidence at the hearing it appears that the said The Electric Light Company of New Paltz is the owner of a franchise for the distribution of electricity for light, heat, and power in the village of New Paltz; that by reason of the insufficiency of the installed capacity of its electric generating plant the applicant entered into a contract with the Hudson Counties Gas and Electric Company, a domestic corporation, by which the latter corporation agreed to supply all the electric current required by the applicant in the exercise of its franchise rights; that said contract was made conditional upon the right of said Hudson Counties Gas and Electric Company to use the pole lines and privileges of the applicant within the corporation limits of the village of New Paltz in the transmission of electric current from High Falls, county of Ulster, during the life of said contract, which by the terms of the contract was to continue for a period of ten years from and after the commencement of the delivery of electric current, and for an additional term of ten years thereafter unless said contract shall have been terminated by the applicant at the end of the first period; that said Hudson Counties Gas and Electric Company has assigned its rights and privileges under said contract as aforesaid to the Newburgh Light, Heat and Power Company; and it appearing that said Newburgh Light, Heat and Power Company proposes to erect and string upon the pole system of The Electric Light Company of New Paltz a line for the transmission of electrical energy, and that said line will be a part of and connected with the high-power transmission line for the conveyance of electrical energy from High Falls to the city of Newburgh, proposed to be constructed by the Newburgh Light, Heat and Power Company; and that such use of the pole line of the applicant will enable the applicant under the terms of the said transfer or lease to obtain all the advantages of hydro-electric energy without the need of any expenditure for generating apparatus or transmission lines; and it further appearing that the right of the applicant to allow such use of its pole line has been

expressly authorized by the board of trustees of the village of New Paltz for and during the term of said contract, by resolution duly adopted by said board on August 25, 1908; now, upon the aforesaid petitions, and after due deliberation, it is

Ordered: 1. That the Commission hereby consents, under section 70 of the Public Service Commissions Law, to the transfer or lease by The Electric Light Company of New Paltz to the Newburgh Light, Heat and Power Company of part of its works or system, to wit: the grant to the Newburgh Light, Heat and Power Company of the right to use, so far as it may be practicable, for a term of ten years, subject upon the expiration of that time to renewal of such right for a further term of ten years, of its electric pole system in the village of New Paltz, and to string and erect thereon a high-tension transmission line, pursuant to the terms of a contract entered into the 6th day of May, 1908, by and between The Electric Light Company of New Paltz and the Hudson Counties Gas and Electric Company, and pursuant to the terms of the assignment by said Hudson Counties Gas and Electric Company executed the 14th day of August, 1908, of such rights and privileges under said contract to the Newburgh Light, Heat and Power Company.

Ordered: 2. That this Commission hereby consents, under section 68 of the Public Service Commissions Law, to the exercise by the Newburgh Light, Heat and Power Company of the aforesaid rights and privileges in the village of New Paltz as expressly authorized by the board of trustees of said village by resolution duly adopted by said board on August 25, 1908.

[See Case No. 282, April 29, 1908, page 343; order next following, and two orders under this same date and case number, pages 302, 371.]

[Case No. 440]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol in the city of Albany
on the 7th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBOURNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of NEWBURGH LIGHT,
HEAT AND POWER COMPANY for leave to issue its
convertible debenture bonds in the aggregate amount of
\$350,000.

In the matter of the Application of POUGHKEEPSIE
LIGHT, HEAT AND POWER COMPANY for approval of
the sale by it to the Newburgh Light, Heat and
Power Company of a certain electrical transmission
line situated in the town of Lloyd, Ulster county,
State of New York.

The Poughkeepsie Light, Heat and Power Company on September 30, 1908, filed with this Commission its petition under section 70 of the Public Service Commissions Law for consent to transfer to the Newburgh Light, Heat and Power Company certain rights of way, poles, wires, attachments, and the entire construction of approximately three miles of electrical transmission line, beginning at the boundary line between the towns of Marlborough and Lloyd, county of Ulster, and running thence northerly to a point at or near Poughkeepsie bridge in the village of Highland, said town of Lloyd, the same being a part of the transmission line owned, maintained, and operated by the applicant, and extending from said point in an easterly direction to the shores of the Hudson river and thence by a submarine cable to the

electrical generating station of the applicant maintained in the city of Poughkeepsie, county of Dutchess, State of New York.

This petition supplements and amplifies the petition filed by the Newburgh Light, Heat and Power Company on August 18, 1908, and on which a hearing was had August 26, 1908, John L. Wilkie, of Gould & Wilkie, appearing for the applicant; no one in opposition.

From these petitions and accompanying papers and from the evidence at the hearing it appears that beginning at the said boundary between the towns of Marlborough and Lloyd the Newburgh Light, Heat and Power Company owns and maintains in connection with the said line of the Poughkeepsie Light, Heat and Power Company an electrical transmission line which runs south from said point to the electric generating station of the said Newburgh Light, Heat and Power Company in the city of Newburgh, county of Orange, and that such complete transmission line has been built and maintained by the respective companies and has been used by them, when necessary, for the transmission of electric current from one company to the other; and it appearing that said Newburgh Light, Heat and Power Company desires to purchase the three miles of transmission line aforesaid, so that said company shall have a transmission line owned, maintained, controlled, and operated by it from High Falls, Ulster county, to its electric generating station in the city of Newburgh, and that the consideration agreed upon for such sale is the sum of \$5160, which sum represents the cost to the applicant of said line, less an allowance for depreciation thereon; and it further appearing that while the applicant is the owner of a public franchise for the distribution of electricity in the said town of Lloyd, the sale of said transmission line will not impair its ability to furnish such service in said town; now, upon the petition, and after due deliberation, it is

Ordered: That this Commission hereby consents, under section 70 of the Public Service Commissions Law, to the transfer, for the consideration of five thousand one hundred sixty dollars (\$5160), by the Poughkeepsie Light, Heat and Power Company to the Newburgh Light, Heat and Power Company, and to the purchase by the Newburgh Light, Heat and Power Company at said sum of the rights of way, poles, wires, attachments, and the entire construction of approximately three miles of electrical transmission line, commencing at the boundary line between the towns of Marlborough and Lloyd, county of Ulster, and running thence northerly to a point at or near the Poughkeepsie bridge in the village of Highland, in the town of Lloyd, county of Ulster, State of New York.

[See Case No. 282, April 29, 1908, page 343; order next preceding, and two orders under this same date and case number, pages 302, 371.]

[Case No. 452]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Joint Petition of FRANCIS A. STRATTON and the WESTCHESTER LIGHTING COMPANY, under section 70 of the Public Service Commissions Law.

Francis A. Stratton of Mount Vernon, N. Y., and the Westchester Lighting Company having filed with this Commission a joint petition under section 70 of the Public Service Commissions Law for authority to said company to

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purchase from said Stratton 8040 shares, par value \$100 a share, of the capital stock of Northern Westchester Lighting Company; 5000 shares, par value \$100 a share, of the common capital stock of the Peekskill Lighting and Railroad Company; and \$90,000 principal amount of first consolidated mortgage bonds of Northern Westchester Lighting Company, for the consideration of \$585,400 in cash to be paid by said company to said Stratton; and hearings on said petition having been held by this Commission in the city of Albany on September 1 and 28, 1908, *Parker, Hatch & Sheehan, D-Cady Herrick, Shearman & Sterling*, and *Charles A. Collin* appearing for the petitioners; now, upon the aforesaid petition and accompanying papers and evidence and arguments at the hearings, and briefs of counsel, and after due deliberation, it is

Ordered: That said joint petition be and it is hereby denied.

[Case No. 417]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 8th day
of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the GENESEE COUNTY ELECTRIC LIGHT,
POWER AND GAS COMPANY.

After due deliberation, it is

Ordered: That the Genesee County Electric Light, Power and Gas Company, and Marc W. Comstock as receiver of said company, and each or either of them, is hereby authorized to transfer to the village of Bergen in the county of Genesee all the poles, wires, lamps, and fixtures constituting the distribution system of said company which is located in the said village of Bergen, and also the switchboard of said company situate in said village, and to surrender to said village the franchise heretofore granted by it to said company.

[See Case No. 310, April 16, 1908, page 292; Case No. 311, April 16, 1908, page 318; Case No. 417, November 25, 1908, page 462; and Case No. 661, December 29, 1908, page 310.]

[Case No. 646]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol in the city of Albany
on the 30th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of GEORGE W. DUNN,
CHARLES W. ANDREWS, and MILTON DELANO, AS RE-
CEIVERS OF THE HUDSON RIVER ELECTRIC POWER COM-
PANY, under section 70 of the Public Service Com-
missions Law.

On reading and filing the petition of George W. Dunn, Charles W. Andrews, and Milton Delano, as receivers of the Hudson River Electric Power Com-

pany, verified December 8, 1908, and filed in this office December 9, 1908, under section 70 of the Public Service Commissions Law, for consent to lease the steam power plant and premises at Utica, N. Y., the apparatus contained in the sub-stations at Little Falls, Frankfort, and Oriskany, and the high-tension transmission line from Utica to Clark Mills, all being property of the Hudson River Electric Power Company, to the Utica and Mohawk Valley Railway Company for a term of one year beginning December 1, 1908, subject to renewal for a further term of one year beginning December 1, 1909; the petition of said Utica and Mohawk Valley Railway Company requesting the consent of this Commission to such lease; a copy of the order of the United States Circuit Court for the Northern District of New York dated November 14, 1908, appointing said George W. Dunn, Charles W. Andrews, and Milton Delano receivers of said Hudson River Electric Power Company; a copy of the order of said Court dated December 7, 1908, authorizing and empowering said receivers to make and execute such lease with the Utica and Mohawk Valley Railway Company in substantially the form and terms set forth in the copy of the proposed lease attached to said order of the Court; a copy of the record before the Court upon which said order was issued; a copy of the lease as finally executed by said receivers and Utica and Mohawk Valley Railway Company on December 10, 1908, and filed in this office December 28, 1908; and it appearing from the record herein that a contract was entered into on the 20th day of March, 1905, between the Hudson River Electric Power Company and the Hudson River Water Power Company of the first part, and the Utica and Mohawk Valley Railway Company of the second part, said contract being amended by letter dated November 11 and November 27, 1905, whereby said parties of the first part became obligated to furnish electrical energy generated at said Utica steam power plant to the party of the second part for a term of twenty-five years from July 1, 1905, and that under said contract electrical energy has been delivered by Hudson River Electric Power Company at a loss, and can not be delivered at the contract price without a constant and steady loss; and it appearing that said lease is for the public interest and should be approved; it is

Ordered: That the consent of this Commission be and is hereby given, under section 70 of the Public Service Commissions Law, to the lease by George W. Dunn, Charles W. Andrews, and Milton Delano, as receivers of Hudson River Electric Power Company, to the Utica and Mohawk Valley Railway Company of the steam power plant and property of said Hudson River Electric Power Company located at Utica, N. Y., the apparatus contained in the sub-stations to said plant at Little Falls, Frankfort, and Oriskany, and the high-tension transmission line from Utica to Clark Mills, said lease to be upon the terms and in the form of the proposed lease submitted December 28, 1908, as an exhibit to the application herein, and this Commission hereby consents that the parties to said lease may exercise all the rights previously granted and secured by said lease.

APPENDIX J.

**IN THE MATTER OF ISSUE OF STOCKS, BONDS, AND OTHER
EVIDENCES OF INDEBTEDNESS BY ELECTRICAL CORPORATIONS
AND GAS CORPORATIONS.**

APPENDIX J.

[Case No. 192]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of January, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,

Commissioners.

In the matter of the Petition of THE EMPIRE ELECTRIC COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue \$10,000 capital stock.

The Empire Electric Company on January 21, 1908, filed with this Commission its petition, under section 69 of the Public Service Commissions Law, for authority to issue \$10,000 capital stock of the par value of \$100 a share.

From the petition and accompanying papers it appears that the lawfully authorized capital stock of the company is \$2500, consisting of twenty-five shares of the par value of \$100 each; that the petitioner proposes now to issue \$10,000 additional capital stock to consist of one hundred shares of the par value of \$100 a share; that stockholders owning at least a majority of the present stock of the petitioner have consented to said increase; that the proceeds of said increase are to be devoted by the petitioner to the discharge of its obligations incurred in the purchase of real estate, material, machinery, and supplies. In the opinion of this Commission the use of the capital to be secured by the issue by this petitioner of the \$10,000 capital stock hereinafter authorized is reasonably required for the purposes of the corporation as set forth in the petition and accompanying papers: namely, the discharge of its obligations incurred in the purchase of real estate, material, machinery, and supplies. Upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes The Empire Electric Company to issue \$10,000 capital stock of said company of the par value of \$100 a share, the total capital stock of said company to be by said issue increased to \$12,500.

Ordered: 2. That the proceeds of said \$10,000 capital stock shall be devoted by said The Empire Electric Company to and used for the following purposes and no other, to wit: the discharge of its obligations incurred in the purchase of real estate, material, machinery, and supplies as described in the petition and accompanying papers.

Ordered: 3. That said The Empire Electric Company shall make verified reports to this Commission as follows: (a) Upon the sale of the \$10,000 capital stock authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom; (b) at the termination of each and every period of six months from the date of this order the disposition and use made of the proceeds of such capital stock, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of such capital stock have been expended pursuant to the provisions of this order.

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[Case No. 17]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of December, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS H. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,

Commissioners.

In the matter of the Petition of SCHAGHTICOKE ELECTRIC COMPANY of Hoosick Falls, N. Y., under section 69 of the Public Service Commissions Law, for authority to issue a first mortgage for \$1,750,000, and to issue one thousand eight hundred five per cent. first mortgage bonds, one hundred of said bonds to be of the denomination of \$500 each, and one thousand seven hundred of said bonds to be of the denomination of \$1000 each, said bonds to be secured by said mortgage.

The Schaghticoke Electric Company on the 20th day of August, 1907, filed with this Commission its petition, under section 69 of the Public Service Commissions Law, for authority to issue a first mortgage for \$1,750,000 and to issue one thousand eight hundred five per cent. twenty-five-year first mortgage bonds, one hundred of said bonds to be of the denomination of \$500 each, and one thousand seven hundred of said bonds to be of the denomination of \$1000 each, said bonds to be secured by said mortgage.

A hearing was had on said petition at the office of the Commission in the Capitol, Albany, on the 30th day of September, 1907; James O. Carr appeared for the petitioner. It appears from the petition and accompanying papers and from the evidence taken at the hearing that the company proposes to construct in the vicinity of Johnsonville and Schaghticoke, Rensselaer county, dams and power houses for the utilization of the waters of the Hoosick river in the development of electric current, a portion of which is to be transmitted to Schenectady by a transmission line proposed to be constructed; that the proceeds of the proposed issue of mortgage bonds are to be used to pay, in part, the cost of such construction; that for the remainder of the cost it is proposed that capital stock shall be issued.

In the opinion of this Commission the use of the capital to be secured by the issue of this petitioner of said first mortgage for \$1,750,000, and said mortgage bonds to be secured by said mortgage, is reasonably required for the purposes of the corporation as set forth in the petition and accompanying papers: namely, the acquisition of property, and construction of the petitioner's plant and distributing system, and the extension and improvement in the future of the petitioner's plant and distributing system, as described in affidavits (attached to the petition herein) verified August 20, 1907, and subscribed by George E. Greene, president, and H. R. Leyden, general manager, of the petitioner, and in an affidavit of H. W. Buck verified October 8, 1907, in this proceeding. Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Schaghticoke Electric Company to make, execute, and deliver to some proper trustee to be selected by said company a first mortgage upon all of its property and franchises now owned or hereafter to be acquired, with the rents, issues, income, and profits thereof, to secure payment of a series of first mortgage five per cent. gold bonds of the aggregate amount of \$1,750,000, running for twenty-five years or less.

Ordered: 2. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Schaghticoke Electric Company to issue

Amended Order, in
pursuance of a
resolution of the
Commission of
January 30,
1908.

one thousand eight hundred first mortgage gold bonds, running for twenty-five years or less, one hundred of said bonds to be of the denomination of \$500 each, and one thousand seven hundred of said bonds to be of the denomination of \$1000 each; said bonds to be secured by said mortgage and to bear interest at the rate of five per cent. per annum.

Ordered: 3. That the proceeds of said bonds shall be devoted by Schaghticoke Electric Company to and used for the following purposes and no other, to wit: the acquisition of property, the construction of the petitioner's plant and distributing system, and the extension and improvement in the future of the petitioner's plant and distributing system, as described in affidavits (attached to the petition herein) verified August 20, 1907, and subscribed by George E. Greene, president, and H. R. Leyden, general manager, of the petitioner, and in an affidavit of H. W. Buck verified October 8, 1907, in this proceeding.

Ordered: 4. That said Schaghticoke Electric Company shall make verified reports to this Commission as follows: (a) Upon the sale of the \$1,750,000 first mortgage bonds authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended pursuant to the provisions of this order.

[See Case No. 17, order of December 11, 1907, as amended June 27, 1908, page 364.]

[Case No. 207]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBOURNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the PANAMA POWER COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue \$4000 common capital stock.

The Panama Power Company on January 31, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue \$4000 common capital stock, divided into four hundred shares of the par value of \$10 each. It appears from the petition that the company was incorporated in August, 1908, with a capital stock of \$4000; that it proposes to furnish electricity for light, heat, or power in the village of Panama; that this Commission on November 13th last granted permission, under section 68 of the Public Service Commissions Law, to said company to exercise its franchise in the village of Panama; that the proceeds of the capital stock proposed to be issued are to be used for the acquisition of property and the construction and completion of its plant and distributing system. In the opinion of this Commission the use of the capital to be secured by the issue by this petitioner of the \$4000 common capital stock hereinafter authorized is reasonably required for the purposes of the corporation as set forth in the petition: namely, the acquisition of property

and the construction and completion of its plant and distributing system. Upon the aforesaid petition, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Panama Power Company to issue \$4000 common capital stock of said company of the par value of \$10 a share.

Ordered: 2. That the proceeds of said \$4000 common capital stock shall be devoted by said Panama Power Company to and used for the following purposes and no other, to wit: the acquisition of property and the construction and completion of its plant and distributing system.

Ordered: 3. That the Panama Power Company shall make verified reports to this Commission as follows: (a) Upon the sale of the \$4000 common capital stock authorized by this order to be issued, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom; (b) at the termination of each and every period of six months from the date of this order the disposition and use made of the proceeds of such capital stock, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of such capital stock have been expended pursuant to the provisions of this order.

[Case No. 35]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of WATERTOWN LIGHT AND POWER COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue \$200,000 of bonds and capital stock for improvements.

The Watertown Light and Power Company on June 25, 1907, filed with the Commission of Gas and Electricity its petition for authority to issue \$200,000 of bonds, and capital stock for the excess over \$200,000 of improvements made by the said company, and on the 19th day of August, 1907, filed with this Commission its petition for authority to issue said stock and bonds, the second petition being supplemental and in aid of the first petition aforesaid.

A hearing, after due notice, was had upon said petitions before this Commission at the common council room in the city of Watertown on September 26, 1907; *E. R. Brown, esq.*, appeared for the petitioner, and *Isaac R. Breen, esq.*, appeared for the city of Watertown in opposition thereto.

From the petitions and accompanying papers and from the evidence taken at the hearing it appears that the lawfully authorized capital stock of the petitioner is \$1,000,000 of the par value of \$100 per share, of which two thousand shares of common stock is now outstanding; that there is a mortgage upon the plant for \$1,000,000, under which five hundred bonds of \$100 each have been issued; that the petitioner expended prior to the date of filing the petition of June 25, 1907, upon that part of its property known as the H. Remington & Sons Pulp & Paper Company, \$114,450.26, and expended upon that part of its property known as the Watertown Electric Light Company, prior to said date, \$163,855.05, said expenditures having been

made in the case of the H. Remington & Sons Pulp & Paper Company property for the following purposes, as alleged in the said petition:

New bulkhead; new flume and tailrace; new gates, racks, and other complete equipment, including a very large amount of excavation of rock; the setting of eight new water-wheels with a capacity of five hundred horsepower each; installation of new steam boiler; new electric lighting plant for the mill; blasting out rock in basement and providing additional storage in machine room; repairing all pulp grinding and producing machinery; putting in new scales and elevator; additional room of 70 feet by 65 feet; new roofs on all buildings; extension of railroad switch 500 feet.

and having expended the said sum upon the property known as the Watertown Electric Light Company for the following purposes:

New flume; racks; gates and hydraulic apparatus; enlargement of tailrace; the setting of three new water-wheels with a capacity of five hundred horsepower each; installation of four new electric generators; renewal throughout of the electric plant and equipment; raising the roof and strengthening the walls of the building; new traveling crane and hoisting apparatus; two new steam boilers and stacks; new foundation for the steam engine.

And it appearing from the affidavit of Frederick A. Rogers verified February 27, 1908, that such expenditures were made by means of advances to the petitioner by J. B. Saylor, which the petitioner is obliged to pay; and the Commission, after having considered the said expenditures, having disallowed for the purposes of capitalization the following items: namely. \$14,134.78, being the cost of improvements made prior to June 4, 1906, the date of a previous application in which an order was made to capitalize the investment in said company; \$175 for rent of contractor's office; \$784.15 for improvements to flats and electric light property; \$7425 for salaries; \$3725 excess rental of contractor's plant; and \$919.29, items withdrawn by the petitioner upon the application; and having found that the total expenditures properly made for and on account of all such improvements, exclusive of said rejected items, was \$250,000, to which should be added \$12,500 interest, making \$262,500 in all; in the opinion of this Commission the use of the capital to be secured by the further issue by this petitioner of \$200,000 of bonds, secured by the mortgage for \$1,000,000 heretofore authorized and executed by the said company upon its said plant, and of \$102,500 of the common stock of said company in addition to the \$200,000 of stock heretofore issued, is reasonably required for the purposes of the corporation as set forth in the petition and accompanying papers and as described in the evidence at the hearing: namely, for the discharge and lawful funding of its obligations incurred for the improvement of the petitioner's plants and distributing system as above described. Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Watertown Light and Power Company to issue two hundred (200) five per cent. gold bonds of one thousand dollars (\$1000) each of said company under and pursuant to the mortgage aforesaid upon its property, and one thousand and twenty-five (1025) shares of the par value of one hundred dollars (\$100) each of the authorized stock of said company; said two hundred bonds to be sold at not less than eighty per cent. of their par value. The proceeds of this issue of bonds which may be realized from the sale thereof at a price above eighty per cent. of the par value thereof shall operate to reduce to the extent of said excess the amount of the capital stock authorized by this Commission to be issued.

Ordered: 2. That the proceeds of said two hundred thousand dollars (\$200,000) of bonds and of the capital stock issued as aforesaid shall be devoted by the Watertown Light and Power Company to and used for the following purposes and no other, to wit: the discharge and lawful funding of its obligations incurred for the improvements hereinbefore specifically described.

Ordered: 3. That upon the sale of any of the bonds or stock hereinbefore authorized the said Watertown Light and Power Company shall report under oath such sale, the terms and conditions thereof, and the amount realized

therefrom; that the said company shall make a verified report to this Commission at least once every six months, showing in detail the use and application made by it of such moneys until such moneys shall have been fully expended.

Ordered: 4. That this order is made without prejudice to any future application which may be made by the said petitioner for the capitalization of improvements made upon its said property since the filing of the petition herein on June 25, 1907, and of the organization expenses of the said petitioner, including expenses of proceedings before the Commission of Gas and Electricity and the Public Service Commission in connection therewith.

[Case No. 237]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of THE GREAT BEAR LIGHT AND POWER COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue \$20,000 common capital stock, a first mortgage for \$20,000, and \$20,000 in bonds to be secured by said mortgage.

The Great Bear Light and Power Company on February 24, 1908, filed with this Commission its petition, under section 69 of the Public Service Commissions Law, for authority to issue \$20,000 common capital stock, which is the amount named in its articles of incorporation, a first mortgage for \$20,000, and \$20,000 in bonds of the denomination of \$250 each and bearing interest at the rate of six per centum per annum to be secured by said mortgage.

A hearing was held on said petition at the office of this Commission in the Capitol, Albany, on March 4, 1908, *M. E. Baldwin* appearing for the petitioner.

From the petition and accompanying papers and from evidence at the hearing it appears that the petitioner was incorporated in September, 1907, with a capital stock of \$20,000, consisting of two hundred shares of the par value of \$100 each, none of which is outstanding; that it proposes to issue a first mortgage for \$20,000, and eighty bonds of the par value of \$250 each bearing six per cent. interest annually and secured by said mortgage; that it proposes to construct, in Otsego and Schoharie counties, poles and wires for supplying the unincorporated village of East Worcester, and the incorporated village of Richmondville, and the territory between, with electricity for light, heat, and power; that it also proposes to acquire storage dams and water powers already in existence for the purpose of generating electricity; that the proceeds of the proposed issue of stock and bonds are to be used to pay the cost of construction of poles and wires, acquiring the storage dams and water powers, and installing and repairing the necessary power plant at East Worcester aforesaid.

In the opinion of this Commission the use of the capital to be secured by the issue by this petitioner of the \$20,000 capital stock, the first mortgage for \$20,000, and eighty bonds of the denomination of \$250 each to be secured by said mortgage, hereinafter authorized, is reasonably required for the purposes of the corporation as set forth in the petition and accompanying papers and described in the evidence at the hearing: that is to say, the acquisition of property and the construction, maintenance, and operation

of the petitioner's plant and distributing system. Upon the aforesaid petition and accompanying papers and evidence submitted at the hearing, and after due deliberation, it is, under section 69 of the Public Service Commissions Law,

Ordered: 1. That this Commission hereby authorizes The Great Bear Light and Power Company to issue and sell \$20,000 common capital stock of said company at and for the par value of \$100 a share, and not otherwise.

Ordered: 2. That this Commission hereby authorizes The Great Bear Light and Power Company to make, execute, and deliver to some proper trustee to be selected by said company, a first mortgage upon all of its property now owned or hereafter to be acquired, with the rents, issues, income, and profits thereof, to secure payment of a series of first mortgage six per centum gold bonds of the aggregate amount of \$20,000 running for twenty years.

Ordered: 3. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes The Great Bear Light and Power Company to issue and sell eighty first mortgage gold bonds, running for twenty years, of the denomination of \$250 each, said bonds to be secured by said mortgage and to bear interest at the rate of six per centum per annum, and the same to be sold for not less than ninety per cent. of their par value.

Ordered: 4. That the proceeds of said \$20,000 common capital stock and said \$20,000 first mortgage bonds shall be devoted by The Great Bear Light and Power Company to and used for the following purposes and no other, to wit: the acquisition of property and the construction of said company's plant and distributing system as described in the petition and the affidavit of C. E. Hewitt verified February 20, 1908, herein, but as limited by the order of the Commission certifying its permission and approval to the applicant for the construction and operation of an electric power plant and pole and distributing lines, and with dams and water power as described in its petition.

Ordered: 5. That The Great Bear Light and Power Company shall make verified reports to this Commission as follows: (a) Upon the sale of the \$20,000 common capital stock and the \$20,000 first mortgage bonds authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended pursuant to the provisions of this order.

[See Case No. 236, March 10, 1908, page 289.]

[Case No. 265]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 17th
day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of KEYES ELECTRIC
COMPANY, under section 69 of the Public Service Com-
missions Law, for authority to issue \$12,000 common
capital stock and a mortgage for \$8000 to secure the
payment of certain notes.

The Keyes Electric Company on January 14, 1908, filed with this Com-
mission its petition under section 69 of the Public Service Commissions Law

for authority to issue \$12,000 common capital stock of the par value of \$100 a share and a mortgage for \$8000 to secure the payment of certain notes payable at a period of less than twelve months. From the petition and accompanying papers it appears that in December, 1907, Samuel G. Keyes of Gowanda, N. Y., purchased at foreclosure sale the property, property rights, and franchises of the Consolidated Electric Light and Power Company of Gowanda, N. Y.; that he paid therefor \$11,600; that he is operating the plant now, but desires to transfer it to the Keyes Electric Company, duly incorporated under the Transportation Corporations Law for the purpose of manufacturing and furnishing electricity for light, heat, and power to public and private consumers in the village of Gowanda, Erie and Cattaraugus counties; the town of Collins, Erie county; and the towns of Persia and Perrysburg, Cattaraugus county; that the common capital stock of this petitioner named in its articles of incorporation is \$12,000, divided into one hundred twenty shares of the par value of \$100 per share, all of which is common stock and none of which has as yet been issued; that this petitioner proposes to purchase said electric plant from said Keyes for \$12,000, and to pay therefor by the issue of its entire common capital stock and said mortgage to secure the payment of said notes.

In the opinion of this Commission the use of the capital to be secured by the issue by this petitioner of the \$8000 mortgage and \$4000 common capital stock hereinafter authorized is reasonably required for the said purposes of the corporation, to wit: the purchase from Samuel G. Keyes of the property, property rights, and franchises of the former Consolidated Electric Light and Power Company of Gowanda, N. Y., as described in this petition. Upon the aforesaid petition, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Keyes Electric Company to issue \$4000 common capital stock of said company of the par value of \$100 a share.

Ordered: 2. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Keyes Electric Company to issue a mortgage for \$8000 to secure the payment of certain notes payable at a period of less than twelve months.

Ordered: 3. That the proceeds of said \$4000 common capital stock and said \$8000 mortgage shall be devoted by Keyes Electric Company to and used for the following purposes and no other, to wit: the purchase from Samuel G. Keyes of the property, property rights, and franchises of the former Consolidated Electric Light and Power Company of Gowanda, as described in this petition.

Ordered: 4. That said Keyes Electric Company, upon the sale of said stock and the giving of said mortgage for said purposes, shall file with this Commission a verified statement to the effect that said capital stock and said mortgage have been thus issued and given for said purposes.

[See Case No. 264, March 17, 1908, page 317.]

[Case No. 121]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 19th
day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the BABYLON ELECTRIC
LIGHT COMPANY, under section 69 of the Public Ser-
vice Commissions Law, for authority to issue \$60,000
common capital stock.

The Babylon Electric Light Company on October 28, 1907, filed with this Commission its petition, under section 69 of the Public Service Commissions Law, for authority to issue \$60,000 common capital stock of the par value of \$50 a share. A public hearing on this petition was held by this Commission in the Capitol, Albany, on December 2, 1907; *Leo Fishel* appeared for the petitioner; no one else appeared.

From the petition and accompanying papers and from evidence at the hearing it appears that the present capital stock of the company is \$15,000; that it proposed to give to its stockholders \$30,000 in stock as a stock dividend, and proposed to issue \$30,000 in stock to pay for a power house, an engine, a generator, a boiler, condensing apparatus, steam fitting, new switch-board and present switchboard changes, line changes from single-phase to three-phase, changing present belted generators from single-phase to three-phase, additional transformer and meter capacity, and changing present transformer and meters. Upon the aforesaid petition and accompanying papers and evidence at the hearing in this matter, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Babylon Electric Light Company to issue its common capital stock to the aggregate amount at par value of \$30,000, to be sold at not less than par, the capital to be secured by such issue to be used for the extension and improvement of its plant and distributing system, the use of such capital being in the opinion of this Commission reasonably required for said purposes of the company.

Ordered: 2. That the proceeds of said \$30,000 common capital stock shall be devoted by Babylon Electric Light Company to and used for the following purposes and no other, to wit: the extension and improvement of its plant and distributing system as described in the petition and papers attached and by oral evidence at the hearing in this matter.

Ordered: 3. That said Babylon Electric Light Company shall make verified reports to this Commission as follows: (a) Upon the sale of the \$30,000 common capital stock authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom; (b) at the expiration of each and every period of six months from the date of this order, the disposition and use made of the proceeds of such capital stock, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of such capital stock have been expended pursuant to the provisions of this order.

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[Case No. 255]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 1st day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the WEST BRANCH LIGHT AND POWER COMPANY of Stamford, N. Y., under section 69 of the Public Service Commissions Law, for authority to issue five bonds of the denomination of \$1000 each under its first mortgage for \$50,000 dated April 1, 1906.

The West Branch Light and Power Company on March 5, 1908, filed with this Commission its petition, under section 69 of the Public Service Commissions Law, for authority to issue five bonds of the denomination of \$1000 each, to be secured by the first mortgage of said company for \$50,000 dated April 1, 1906. A hearing on said petition, after public notice, was held by this Commission at the office of the Commission in the Capitol, Albany, on the 1st day of April, 1908; John P. Grant appeared for the petitioner; no one else appeared.

From the petition and accompanying papers and from evidence at the hearing it appears that there are now outstanding, secured by said mortgage, \$45,000 in bonds; that the proceeds of the five bonds proposed now to be issued are to be used for the extension and improvement of the petitioner's steam plant by the installation of an additional boiler, engine, generator, and exciter, and the cost of freight charges and installation, a total cost of \$5000. In the opinion of this Commission, from the petition and accompanying papers and from the evidence at the hearing, the use of the capital to be secured by the issue by this petitioner of the five bonds of the denomination of \$1000 each, hereinafter authorized, is reasonably required for the said purposes of the corporation: namely, the extension and improvement of its steam plant as described in the petition and accompanying papers and evidence at the hearing. Upon the aforesaid petition and accompanying papers and from the evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes West Branch Light and Power Company to issue five bonds of the denomination of \$1000 each, to be secured by the first mortgage for \$50,000 of said company dated April 1, 1906.

Ordered: 2. That the proceeds of said five bonds of the denomination of \$1000 each shall be devoted by West Branch Light and Power Company to and used for the following purposes and no other: namely, the extension and improvement of its steam plant by the installation of an additional boiler, engine, generator, and exciter, and the cost of freight charges and installation, the total cost of said items being \$5000, as described in the petition and accompanying papers and evidence at the hearing.

Ordered: 3. That said West Branch Light and Power Company shall make verified reports to this Commission, as follows: (a) Upon the sale of the five bonds of the denomination of \$1000 each, authorized to be issued by this order, or any part thereof, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended pursuant to the provisions of this order.

[Case No. 282]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of the NEWBURGH LIGHT, HEAT AND POWER COMPANY for leave to issue convertible ten-year debenture bonds to the amount of three hundred and fifty thousand dollars (\$350,000).

The Newburgh Light, Heat and Power Company on March 31, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue debenture bonds to the amount of \$350,000, to bear interest at the rate of eight per centum per annum, to be payable ten years from the date, and to be convertible at the option of the holders thereof not less than two years from date and prior to their maturity into stock of the said corporation at par. A hearing, after public notice, was held on the petition at the office of this Commission on the 7th day of April, 1908, *John L. Wilkie* appearing for the applicant and no one in opposition.

From the application and accompanying papers it appears that the proceeds of the proposed issue of debenture bonds are to be used for the discharge or lawful refunding of outstanding obligations of the applicant to the amount of \$134,450, and for construction, extensions, and improvements of its plant and distributing system, estimated by the applicant to cost \$239,500; and that the applicant intends to sell said bonds at their par value. And it further appearing to this Commission upon the record herein that all of said debenture bonds covered by the application are not now reasonably required to be issued for said purposes of the applicant; but that upon said record the use of the capital to be secured by an issue of three hundred thirty (330) debenture bonds of the denomination of one thousand dollars (\$1000) each is reasonably required for the said purposes of the corporation, viz.: for the discharge or lawful refunding of its obligations, and for construction, extensions, and improvements of the plant and distributing system of this petitioner, all of which is set forth and described in the petition and accompanying papers; now, upon the aforesaid application and accompanying papers and from evidence at the hearing, and after due deliberation, it is

Ordered: That under section 69 of the Public Service Commissions Law the applicant, the Newburgh Light, Heat and Power Company, be and is hereby authorized to issue and sell three hundred thirty (330) debenture bonds of the par value of one thousand dollars (\$1000) each, to bear interest at the rate of eight (8) per centum per annum, to be payable ten (10) years from the date thereof, and to be convertible at the option of the holders thereof not less than two (2) years from date and prior to the maturity of said debenture bonds into common stock of the said corporation at par, subject, however, to the conditions hereinafter prescribed: 1. That each and every of said three hundred thirty (330) debenture bonds shall be sold by the applicant, the Newburgh Light, Heat and Power Company, for not less than the par value thereof; 2. That the proceeds of said three hundred thirty (330) debenture bonds shall be devoted to and used by the applicant, the Newburgh Light, Heat and Power Company, for its corporate purposes as follows, and no other: namely, for the discharge and lawful refunding of its obligations, \$134,450; to the cost of proposed electric station, \$147,135; to the cost of underground conduits, \$25,000; to the cost of construction work required on high-tension line north of Newburgh, \$10,000; to the cost of new gas apparatus, including two boilers, one oil tank, new street main, services, meters and connections, \$15,000: all of which are more particularly set forth and

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described in the petition and accompanying papers; 3. That said three hundred thirty (330) debenture bonds or any of them shall be convertible into common stock on a particular day of each and every year within which said bonds may be converted, as herein provided, and at a specified place, said time and place to be fixed by the applicant, the Newburgh Light, Heat and Power Company, and duly published, and that not less than thirty (30) days' notice prior to such day of intention to convert such bonds be given by the holders thereof to the said Newburgh Light, Heat and Power Company; 4. That in advance of such conversions and each of them application for approval of the issue of capital stock therefor be made in writing by said Newburgh Light, Heat and Power Company to this Commission; 5. That the applicant, the Newburgh Light, Heat and Power Company, shall make verified reports to this Commission as follows: (a) Upon the sale of the debenture bonds authorized by this order to be issued, or any of said bonds, the fact of such sale, the terms and conditions of such sale, and the amount realized therefrom; (b) at the termination of each period of six months from the date of this order the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which such proceeds have been devoted; (c) that such semi-annual reports shall be made until all the proceeds of said bonds have been expended or used pursuant to the provisions of this order.

[See four orders, Case No. 440, October 7, 1908, pages 302, 325, 326, 371.]

[Case No. 295]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of ROCHESTER RAILWAY
AND LIGHT COMPANY for authority to issue bonds
under section 69 of the Public Service Commissions
Law.

The Rochester Railway and Light Company on April 10, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue additional bonds, under its consolidated mortgage dated June 15, 1904, to Security Trust Company of Rochester, which mortgage was given to secure a total authorized issue of sixteen million dollars of bonds. A hearing, after public notice, was held on the petition at the office of this Commission at the Capitol, Albany, on the 20th day of April, 1908; *Messrs. Harris, Havens, Beach & Harris*, attorneys, appeared for the petitioner, and no one appeared in opposition.

From the petition and accompanying papers and evidence at the hearing it appears that there are now outstanding, secured by said mortgage, five million six hundred ninety-seven thousand dollars of bonds; that the proceeds of the proposed additional issue are to be used for refunding outstanding obligations of the applicant company to the amount of one million four hundred seventy-four thousand dollars; that the applicant expects to obtain at least ninety per cent. of their par value for said additional bonds, and desires to issue one million six hundred thirty-seven thousand dollars of said bonds, which would produce at that rate approximately the said sum of one million four hundred seventy-four thousand dollars. In the opinion of this Commission, from the petition and accompanying papers and from the evidence at the hearing, the use of the capital to be secured by the proposed issue of additional bonds is reasonably required for the said purposes.

of the applicant company, viz: the refunding of one million four hundred seventy-four thousand dollars of the outstanding obligations described in the petition and accompanying papers. Upon the aforesaid petition and accompanying papers and from evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Rochester Railway and Light Company to issue additional bonds, to be secured by its consolidated mortgage dated June 15, 1904, to Security Trust Company of Rochester, to an amount not to exceed at par one million six hundred thirty-seven thousand dollars, said bonds to be issued under the terms and conditions of said mortgage and to be redeemable prior to maturity at one hundred and ten per cent. of the par value thereof under the provisions of clause sixteen of said mortgage; provided, however, that before giving the notice to the trustee and taking action thereon as provided in said clause sixteen, the applicant herein shall first present its application to this Commission, showing that such redemption will be necessary or appropriate under conditions then existing, and obtain the order of this Commission thereon approving such redemption.

Ordered: 2. That said additional bonds shall not be sold for less than ninety per cent. of their par value.

Ordered: 3. That if said bonds, or any of them, are sold at a higher rate than ninety per cent. of their par value, the total amount of bonds hereby authorized shall be and is hereby reduced so that the total amount of the proceeds thereof shall not exceed the sum of one million four hundred seventy-four thousand dollars.

Ordered: 4. That the said Rochester Railway and Light Company shall make reports under oath of the sale or sales of said bonds hereby authorized, the terms or conditions of the sale or sales, and the amount realized therefrom, such reports to be filed with this Commission with all diligence after such sale or sales are made.

Ordered: 5. The Rochester Railway and Light Company shall make a verified report at least every six months, showing in detail the use and application of the moneys realized from such sales, and the obligations refunded, until such moneys are expended.

[Case No. 309]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the PLATTSBURGH LIGHT, HEAT AND POWER COMPANY, under section 69 of the Public Service Commissions Law, for authority to make a mortgage for \$250,000, and for authority to issue two hundred and fifty thirty-year 5 per cent. gold coupon bonds of the denomination of \$1000 each to be secured by said mortgage.

The Plattsburgh Light, Heat and Power Company having filed with this Commission its petition under section 69 of the Public Service Commissions Law on April 2, 1908, for authority to execute a mortgage for \$250,000, and to issue two hundred and fifty thirty-year five per cent. gold coupon

bonds of the denomination of \$1000 each to be secured by said mortgage, said bonds to bear date April 1, 1908; and a public hearing upon said petition having been held at the office of this Commission in Albany on April 27, 1908; and it appearing from the petition and accompanying papers and the evidence at such hearing that the petitioner is a duly incorporated domestic corporation owning and operating a gas and electric light plant in the city of Plattsburgh; that it has outstanding five per cent. mortgage bonds to the amount of \$125,000 due October 1, 1915, under a mortgage issued to the Knickerbocker Trust Company as trustee; that it has unsecured indebtedness of approximately \$60,000 which has been expended for improvements to the property; that it proposes to make extensions and improvements to its gas and distributing system, the estimated cost of which is \$22,417.34: that it desires to use one hundred and forty of the bonds to which this petition relates for the refunding of said outstanding first mortgage bonds; that it desires to sell sixty-five of said bonds and use the proceeds to pay said unsecured indebtedness; that it desires to sell twenty-five of said bonds and use the proceeds to pay for said proposed extensions and improvements of its gas distributing plant; that it desires to hold twenty of said bonds for "necessary expenditures and improvements and the acquisition of additional property" in the future; and the Commission being of the opinion that the execution of the said mortgage, and the issuance and sale under said mortgage of two hundred and thirty thirty-year five per cent. gold coupon bonds of the denomination of \$1000 each are reasonably required for said purposes of the corporation, to wit: the refunding or retiring of said outstanding first mortgage bonds on or before the maturity thereof, the discharge of the said unsecured indebtedness of the petitioner, and for extensions and improvements of the petitioner's gas distributing system; but that in the opinion of the Commission the use of the capital which would be secured by the issue of the remaining twenty bonds under said mortgage is not now required for the purposes of the corporation; now, therefore, upon the aforesaid petition and accompanying papers and evidence presented at the hearing, and after due deliberation it is, under section 69 of the Public Service Commissions Law,

Ordered: 1. That the Plattsburgh Light, Heat and Power Company be and is hereby authorized to make, execute, and deliver to the Standard Trust Company of New York city as trustee, a mortgage upon all of the property of said Plattsburgh Light, Heat and Power Company to secure the payment of two hundred and fifty thirty-year five per cent. gold coupon bonds of the denomination of \$1000 each, twenty of which bonds shall remain in the treasury of the Plattsburgh Light, Heat and Power Company subject to further application to this Commission for, and order of this Commission authorizing, the sale thereof.

2. That the Plattsburgh Light, Heat and Power Company be and is hereby authorized to issue and sell sixty-five of said bonds secured by said mortgage for \$250,000 herein authorized, at a price not less than ninety per cent. of the par value thereof and accrued interest; that said Plattsburgh Light, Heat and Power Company shall with proceeds derived from the sale of said sixty-five bonds take up and discharge its unsecured indebtedness amounting approximately to \$60,000, as set forth in the petition and exhibit C attached to the petition, and that no part of the proceeds from the sale of said bonds shall be applied or used for any other purpose.

3. That the Plattsburgh Light, Heat and Power Company be and is hereby authorized to issue and sell twenty-five of said bonds secured by said mortgage for \$250,000 herein authorized, at a price not less than ninety per cent. of the par value thereof and accrued interest; that said Plattsburgh Light, Heat and Power Company shall with the proceeds of said twenty-five bonds make extensions and improvements of its gas distributing system, which said extensions and improvements are set forth in the petition and schedule D attached to the petition herein, and that no part of the proceeds from the sale of said bonds shall be applied or used for any other purpose.

4. That the Plattsburgh Light, Heat and Power Company be and is hereby authorized to issue one hundred and forty of said bonds secured by said mortgage for \$250,000, which said one hundred and forty bonds shall be by said Plattsburgh Light, Heat and Power Company deposited with the Standard Trust Company of New York as trustee, and said bonds shall be used so far as may be necessary in refunding or retiring an outstanding issue by said Plattsburgh Light, Heat and Power Company of one hundred and twenty-five first mortgage five per cent. bonds of the denomination of \$1000 each which become due October 1, 1915, and which are secured by a first mortgage executed to the Knickerbocker Trust Company of New York as trustee, such refunding or retiring to be accomplished: (1) by exchange of bonds hereby authorized at not less than their par value for said outstanding bonds due October 1, 1915, and which said exchange may be made at any time before or at said date of maturity, viz., October 1, 1915; (2) by sale at the best price obtainable not more than three months prior to said date of maturity, of so many of said one hundred and forty bonds hereby authorized as may be necessary to pay off and discharge the said one hundred and twenty-five outstanding bonds, or so many thereof as have not been or can not be exchanged in the manner herein provided, and that any of said one hundred and forty bonds herein authorized remaining in the hands of the Standard Trust Company of New York as trustee after the refunding or retiring of said outstanding one hundred and twenty-five first mortgage bonds as hereinabove specified shall be held without sale and subject to the further order of this Commission as to the sale or disposition thereof.

5. That the Plattsburgh Light, Heat and Power Company shall make verified reports to this Commission, as follows. (a) Upon the sale of the sixty-five bonds and the twenty-five bonds separately authorized by this order to be issued, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said sixty-five and said twenty-five bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said sixty-five and said twenty-five bonds have been expended pursuant to the provisions of this order; (c) upon the exchange of any of the one hundred and forty bonds authorized by this order for any of the one hundred and twenty-five first mortgage bonds of this petitioner now outstanding, and before maturity, the fact of said exchange, and that the exchange has been made par for par according to the terms of this order; (d) upon the refunding or retiring of said one hundred and twenty-five first mortgage bonds at maturity, the action and other facts in relation thereto.

6. Any excess in the proceeds of the issue of the sixty-five bonds and the twenty-five bonds separately authorized by this order, which may be realized from the sale thereof at a price exceeding ninety per cent. of their par value, or which shall remain in the hands of the applicant after paying for the improvements hereinabove stated, or which shall remain from the sale of any of said one hundred and forty bonds after application of the proceeds to the refunding of any of the aforesaid bonds now outstanding, shall be held for such application to the cost of permanent additions to and improvements in the property of the Plattsburgh Light, Heat and Power Company as this Commission shall hereafter approve.

[See Case No. 309, September 24, 1908, page 368.]

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[Case No. 274]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of SUFFOLK LIGHT, HEAT AND POWER COMPANY of Southampton, N. Y., under section 69 of the Public Service Commissions Law, for authority to issue \$15,000 in six per cent. debenture bonds.

The Suffolk Light, Heat and Power Company on March 20, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue debenture bonds to the amount of \$15,000, said debenture bonds to be of the denominations of \$500 and \$100 each, to bear six per cent. annual interest, to be dated May 1, 1908, and to be payable in ten years from date. A hearing on said petition, after public notice, was held by this Commission at the office of the Commission in the Capitol, Albany, on the 5th day of May, 1908; L. E. Terry appeared for the petitioner; no one else appeared.

It appears that the proceeds of the debenture bonds proposed to be issued are to be used for the extension and improvement of the petitioner's plant by the installation in its central station of an engine, dynamos, switchboard, and transformer, the estimated cost of which, including belting and labor, is \$15,300, which cost it is estimated will be reduced to \$14,300 through the sale of old material. In the opinion of this Commission the use of the capital to be secured by the issue by this petitioner of the debenture bonds to the amount of \$15,000, hereinafter authorized, is reasonably required for the said purposes of the corporation: namely, the extension and improvement of its plant, as described in the petition, the affidavit of W. M. Sheehan accompanying the petition, and evidence at the hearing. Upon the aforesaid petition and accompanying papers and from the evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Suffolk Light, Heat and Power Company to issue debenture bonds to the amount of \$15,000, said debenture bonds to be of the denominations of \$500 and \$100, to bear six per cent. annual interest, to be dated May 1, 1908, and to be payable ten years from date.

Ordered: 2. That said debenture bonds shall be sold at not less than par without the further authorization of this Commission.

Ordered: 3. That the proceeds of said debenture bonds shall be devoted by Suffolk Light, Heat and Power Company to and used for the following purposes and no other: namely, the extension and improvement of its plant by the installation in its central station of an engine, dynamos, switchboard, and transformer, including belting and labor, as described in the petition and the affidavit of W. M. Sheehan herein, the estimated cost therefor, less sale of old material, being \$14,300.

Ordered: 4. That said Suffolk Light, Heat and Power Company shall make verified reports to this Commission, as follows: (a) Upon the sale of the debenture bonds authorized to be issued by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the

proceeds of said debenture bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said debenture bonds have been expended pursuant to the provisions of this order.

[Case No. 307]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Petition of the HORNELL ELECTRIC COMPANY, under section 69 of the Public Service Commissions Law, for authority to execute a mortgage for \$100,000 and to issue \$100,000 in certificates of indebtedness to be secured by said mortgage.

The Hornell Electric Company on April 6, 1908, filed with this Commission its petition, under section 69 of the Public Service Commissions Law, for authority to execute a mortgage for \$100,000 and to issue \$100,000 in certificates of indebtedness: two hundred and eighty in number, one hundred to be of the denomination of \$100 each, and one hundred and eighty to be of the denomination of \$500 each, to be secured by said mortgage, to bear five per cent. annual interest, to be dated May 1, 1908, and mature May 1, 1931. A hearing on said petition was held by this Commission in the city of Buffalo on April 30, 1908; Shirley E. Brown appeared for the petitioner; no one else appeared.

It appears that the petitioner operates a plant for, and furnishes to the public in the city of Hornell, electricity for light and power, and steam for heat; that it has now outstanding \$75,000 in certificates of indebtedness bearing five per cent. interest and secured by a mortgage; that it proposes to execute a new mortgage for \$100,000 and issue thereunder \$100,000 in certificates of indebtedness: \$75,000 of which are to be used to discharge or refund the existing certificates, and \$25,000 of which are to be used for improving the petitioner's electric plant and steam plant. In the opinion of this Commission, the use of the capital to be secured by the execution by this petitioner of the mortgage for \$100,000 and the issue of \$100,000 in certificates of indebtedness to be secured by said mortgage, hereinafter authorized, is reasonably required for the said purposes of the corporation: namely, the discharge or refunding of its obligations and the extension and improvement of its electric plant and its steam plant, as described in the petition and the affidavits of L. T. Mason herein. Upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Hornell Electric Company to execute and deliver to Shirley E. Brown of Hornell, N. Y., a mortgage for \$100,000 upon all its property now owned or to be acquired, other than supplies, accounts, and money, to secure the payment of its certificates of indebtedness herein described and authorized.

Ordered: 2. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Hornell Electric Company to issue its certificates of indebtedness, dated May 1, 1908, and maturing May 1, 1931, bearing five per cent. annual interest, payable semi-annually, to the amount of \$100,000, to be secured by said mortgage; that said certificates may be

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subject to call for payment at any interest date at 102, and may contain a provision that they may be converted into common stock of the company at the rate of \$107.50/100 of certificates for \$100 of common stock, such conversion to be subject to all legal requirements, and the stock to be issued therefor only upon further application to and authorization by this Commission pursuant to the requirements of the Public Service Commissions Law.

Ordered: 3. That of said certificates of indebtedness, certificates to the amount of \$75,000 face value be used only for the purpose of paying or retiring the certificates of indebtedness to that amount issued by the American Illuminating Company of Hornellsville, described and set forth in the petition herein and being now the outstanding obligations of the petitioner; that of said certificates of indebtedness, certificates to the amount of \$6000 face value be used for the improvement and extension of its electric plant, and certificates to the amount of \$19,000 face value be used for the extension and improvement of its steam plant, as set forth in the petition and papers herein.

Ordered: 4. That said certificates shall not be sold at less than par without the further authorization of this Commission, but to the extent of \$75,000 may be exchanged dollar for dollar for the outstanding certificates to pay or retire which they are herein authorized.

Ordered: 5. That the Hornell Electric Company shall make verified reports to this Commission, as follows: (a) Monthly reports as to the paying or retiring of the \$75,000 certificates of indebtedness issued by the American Illuminating Company of Hornellsville, until all of said certificates of indebtedness issued by the American Illuminating Company of Hornellsville are paid or retired; (b) upon the sale of the remaining \$25,000 in certificates of indebtedness of the Hornell Electric Company, authorized by this order to be issued, or any part thereof, the fact of such sale and the terms and conditions of sale, and the amount realized therefrom; (c) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said \$25,000 in certificates of indebtedness, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said \$25,000 in certificates of indebtedness have been expended pursuant to the provisions of this order.

[Case No. 312]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMPSTED,
Commissioners.

In the matter of the Petition of the GOSHEN LIGHT AND POWER COMPANY, under section 69 of the Public Service Commissions Law, for authority to execute a first and refunding mortgage for \$15,000 and to issue thirty bonds of the denomination of \$500 each to be secured by said mortgage.

The Goshen Light and Power Company on April 16, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to make a first and refunding mortgage for \$15,000 to be dated June 1, 1908, and to be for a term of fifteen years, and to issue thirty bonds of the denomination of \$500 each to be secured by said mortgage and to

bear five per cent annual interest. A hearing on said petition, after public notice, was held by this Commission in the Capitol, Albany, on May 6, 1908; *Elwood C. Smith* appeared for the petitioner; no one else appeared.

It appears that in September, 1893, this petitioner executed a first mortgage for \$10,000, and issued twenty fifteen-year five per cent. bonds of the denomination of \$500 each secured thereby, which bonds are payable on the 15th day of June, 1908; that eight of said bonds are now in the company's treasury, leaving twelve outstanding; that of the \$15,000 in bonds now proposed to be issued, \$6000 are to be used to discharge or refund the \$6000 in bonds now outstanding, and \$9000 are to be used to pay in part for the acquisition of property and the extension and improvement of the petitioner's plant and distributing system and improvement of its service. In the opinion of this Commission the use of the capital to be secured by the making by this petitioner of the first and refunding mortgage for \$15,000, and the issue of \$15,000 in bonds to be secured by said mortgage, hereinafter authorized, is reasonably required for the said purposes of the corporation: namely, the discharge or refunding of its obligations, and the acquisition of property, and the extension and improvement of its plant and distributing system and improvement of its service, as described in the petition and schedule B annexed thereto, and by evidence at the hearing. Upon the aforesaid petition and accompanying papers and from evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Goshen Light and Power Company to make, execute, and deliver a first refunding mortgage to Harry B. Smith as trustee, to be dated June 1, 1908, to secure the payment of bonds to that amount hereinafter authorized, the term of said mortgage to be fifteen years.

Ordered: 2. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Goshen Light and Power Company to issue thirty fifteen-year first and refunding mortgage bonds of the denomination of \$500 each, to be secured by said mortgage and to bear interest at five per cent., payable semi-annually on the first days of December and June; that the said bonds be sold at not less than par without the further authorization of this Commission.

Ordered: 3. That the proceeds of said bonds to the amount of \$6000 be used to discharge or refund outstanding obligations of the company, as set forth in the petition herein; and that the proceeds of the remaining \$9000 of said bonds be used for the acquisition of property and the extension and improvements of the petitioner's plant and distributing system and improvement of its service, as set forth in the petition herein and schedule B annexed thereto, and by evidence at the hearing.

Ordered: 4. That the Goshen Light and Power Company shall make verified reports to this Commission, as follows: (a) Monthly reports as to the discharge or refunding of the \$6000 in bonds of the company now outstanding, until all of said outstanding bonds are discharged or refunded; (b) upon the sale of the remaining \$9000 in bonds authorized by this order to be issued, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (c) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said \$9000 in bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said \$9000 in bonds have been expended pursuant to the provisions of this order.

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[Case No. 335]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of THE AKRON NATURAL GAS COMPANY, under section 69 of the Public Service Commissions Law, for authority to mortgage its property for \$60,000 and to issue \$60,000 in bonds to be secured by said mortgage.

The Akron Natural Gas Company on May 11, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to mortgage its property for \$60,000 and to issue \$60,000 in ten-year 6 per cent. gold coupon bonds to be secured by said mortgage and to be due in ten years from the date of issue: fifty of said bonds to be for the sum of \$100 each, and one hundred ten of said bonds to be for the sum of \$500 each. It appears that Thomas B. Crary of Binghamton, N. Y., is the owner of a judgment of foreclosure and sale of the property of this petitioner, described in the petition, and has agreed to take the \$60,000 in bonds proposed to be issued in full payment and discharge of said judgment. Upon the aforesaid petition and papers annexed thereto, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes The Akron Natural Gas Company to issue its bonds due in ten years from the date of issue to the amount of \$60,000, with interest thereon at the rate of 6 per cent. per annum, payable semi-annually: fifty of said bonds to be for the sum of \$100 each and one hundred ten of said bonds to be for the sum of \$500 each, and to mortgage all of its property to secure the payment of said bonds.

Ordered: 2. That said bonds and mortgage shall be in the form and contain the terms and conditions of the proposed forms therefor annexed to and submitted with the petition herein.

Ordered: 3. That said bonds may be delivered to Thomas B. Crary of Binghamton, N. Y., in full payment and discharge of the judgment of foreclosure and sale upon the property of the said company and particularly described in said petition, and shall not be used or issued for any other purpose; the use of the capital to be secured by the issue of said bonds being in the opinion of this Commission reasonably required for said purpose.

Ordered: 4. That said The Akron Natural Gas Company, upon the delivery of said bonds to said Thomas B. Crary, shall file with this Commission a certified copy of the discharge of said judgment of foreclosure and sale on said company's property.

[Case No. 340]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 3rd day
of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of **WELLS ISLAND LIGHT AND HEAT COMPANY**, under section 69 of the Public Service Commissions Law, for authority to issue \$8000 common capital stock of the par value of \$100 a share.

The Wells Island Light and Heat Company on May 19, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue \$8000 common capital stock of the par value of \$100 a share, out of a total of \$15,000 common capital stock named in its articles of association. From the petition and accompanying papers it appears that the petitioner was organized on August 24, 1907, under the Transportation Corporations Law, and its purpose is to manufacture, on the grounds of the Thousand Island Park Association on Wells Island, in the St. Lawrence river, town of Orleans, Jefferson county, acetylene gas for lighting streets and buildings on said grounds; that certain individuals have agreed with this petitioner, that in consideration of \$8000 of this petitioner's common capital stock to be issued to them by this petitioner, they will furnish to this petitioner a complete acetylene gas plant, including land, a building, machinery for the making of the gas, pipes in the streets, meters, connections, and transfer to this petitioner a lease and franchise to operate the same obtained by the individuals from the Thousand Island Park Association, and also to transfer to this petitioner consents of property owners or lease owners to the laying of gas pipes obtained by the individuals, the estimated cost of said completed plant being, as appears by the affidavit of Francis K. Baxter herein, \$8398.33.

In the opinion of this Commission the use of the capital to be secured by the issue by this petitioner of the \$8000 common capital stock hereinafter authorized is reasonably required for the said purposes of the corporation, viz.: the acquisition of property as described in detail in the petition, and agreement dated May 14, 1908, between this petitioner and Walter F. Newton, James A. Morris, and Lauren M. Fitch, and the affidavit of Francis K. Baxter verified May 12, 1908, attached to the petition herein. Upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Wells Island Light and Heat Company to issue \$8000 common capital stock of said company of the par value of \$100 a share.

Ordered: 2. That said \$8000 common capital stock shall not be issued for less than its par value.

Ordered: 3. That the proceeds of said \$8000 common capital stock shall be devoted by Wells Island Light and Heat Company to and used for the following purposes and no other, to wit: the acquisition of property as described in the petition herein, and agreement dated May 14, 1908, between this petitioner and Walter F. Newton, James A. Morris, and Lauren M. Fitch, and the affidavit of Francis K. Baxter verified May 12, 1908, attached to the petition herein.

Ordered: 4. That said Wells Island Light and Heat Company shall make a verified report to this Commission, as follows: Upon the completion of the said building and acetylene gas plant as described in the petition herein, and said agreement between this petitioner and the said individuals, and the said affidavit of Francis K. Baxter attached to the petition herein, and the

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transfer thereof to this petitioner; and the transfer to this petitioner of the said lease and franchise from the Thousand Island Park Association and the said consents of property owners or lease owners to the laying of the gas pipes; the facts of said transfers, including a detailed description of the property transferred, and the payment therefor by the issue to said individuals of the \$8000 common capital stock of this petitioner herein authorized to be issued.

[See Case No. 341, June 3, 1908, page 293; and Case No. 342, June 3, 1908, page 319.]

[Case No. 346]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at its office in the city of Buffalo on
the 18th day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Application of the ~~HUDSON RIVER~~
~~ELECTRIC POWER COMPANY~~ for authority to issue
three thousand two hundred thirty-two five per cent.
forty-year gold bonds of the denomination of \$1000
each under a consolidated and refunding mortgage for
\$30,000,000 executed by said company.

The Hudson River Electric Power Company having on June 2, 1908, filed an application for abrogation of the order of the Commission entered in this proceeding on December 4, 1907; a hearing upon said application having been had at the office of the Commission in Albany on June 18, 1908; and it appearing to the Commission that said application should be granted, it is

Ordered: That the order entered herein on the 4th day of December, 1907, authorizing the applicant, the Hudson River Electric Power Company, to issue three thousand five per cent. forty-year gold bonds of the denomination of \$1000 each under a consolidated and refunding mortgage for \$30,000,000 executed by said company, be and the same is hereby abrogated.

[Case No. 17]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 11th
day of December, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of SCHAGHTICOKE ELECTRIC COMPANY of Hoosick Falls, N. Y., under section 69 of the Public Service Commissions Law, for authority to issue a first mortgage for \$1,750,000, and to issue eighteen hundred five per cent. first mortgage bonds, one hundred of said bonds to be of the denomination of \$500 each, and seventeen hundred of said bonds to be of the denomination of \$1000 each, said bonds to be secured by said mortgage.

The Schaghticoke Electric Company on the 20th day of August, 1907, filed with this Commission its petition, under section 69 of the Public

Amended Order, in
pursuance of a
resolution of the
Commission of
June 27, 1908.

Service Commissions Law, for authority to issue a first mortgage for \$1,750,000, and to issue eighteen hundred five per cent. twenty-five-year first mortgage bonds, one hundred of said bonds to be of the denomination of \$500 each, and seventeen hundred of said bonds to be of the denomination of \$1000 each, said bonds to be secured by said mortgage.

A hearing was had on said petition at the office of the Commission in the Capitol, Albany, on the 30th day of September, 1907; *James O. Carr* appeared for the petitioner. It appears from the petition and accompanying papers and from the evidence taken at the hearing that the company proposes to construct in the vicinity of Johnsonville and Schaghticoke, Rensselaer county, dams and power houses for the utilization of the waters of the Hoosick river in the development of electric current, a portion of which is to be transmitted to Schenectady by a transmission line proposed to be constructed; that the proceeds of the proposed issue of mortgage bonds are to be used to pay, in part, the cost of such construction; that for the remainder of the cost it is proposed that capital stock shall be issued.

In the opinion of this Commission, the use of the capital to be secured by the issue of this petitioner of said first mortgage for \$1,750,000 and said mortgage bonds to be secured by said mortgage, is reasonably required for the purposes of the corporation as set forth in the petition and accompanying papers: namely, the acquisition of property, and construction of the petitioner's plant and distributing system, and the extension and improvement in the future of the petitioner's plant and distributing system, as described in affidavits (attached to the petition herein) verified August 20, 1907, and subscribed by George E. Greene, president, and H. R. Leyden, general manager, of the petitioner, and in an affidavit of H. W. Buck verified October 8, 1907, in this proceeding. Upon the aforesaid petition and accompanying papers and the evidence taken at the hearing, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Schaghticoke Electric Company to make, execute, and deliver to some proper trustee to be selected by said company a first mortgage upon all of its property and franchises now owned or hereafter to be acquired, with the rents, issues, income, and profits thereof, to secure payment of a series of first mortgage five per cent. gold bonds of the aggregate amount of \$1,750,000, running for twenty-five years or less.

Ordered: 2. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Schaghticoke Electric Company to issue: either eighteen hundred first mortgage gold bonds, one hundred of said bonds to be of the denomination of \$500 each, and seventeen hundred of said bonds to be of the denomination of \$1000 each; or to issue seventeen hundred and fifty first mortgage gold bonds of the denomination of \$1000 each; said bonds to run for twenty-five years or less and to be secured by said mortgage and to bear interest at the rate of five per cent. per annum.

Ordered: 3. That the proceeds of said bonds shall be devoted by Schaghticoke Electric Company to and used for the following purposes and no other, to wit: the acquisition of property, the construction of the petitioner's plant and distributing system, and the extension and improvement in the future of the petitioner's plant and distributing system, as described in affidavits (attached to the petition herein) verified August 20, 1907, and subscribed by George E. Greene, president, and H. R. Leyden, general manager, of the petitioner, and in an affidavit of H. W. Buck verified October 8, 1907, in this proceeding.

Ordered: 4. That said Schaghticoke Electric Company shall make verified reports to this Commission, as follows: (a) Upon the sale of the \$1,750,000 first mortgage bonds authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said

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bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended pursuant to the provisions of this order.

[See Case No. 17, order of December 11, 1907, as amended January 30, 1908, page 334.]

[Case No. 361]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2nd day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the CANTON ELECTRIC LIGHT AND POWER COMPANY, under section 69 of the Public Service Commissions Law, for authority to mortgage its property for \$16,000, and to issue \$16,000 in bonds to be secured by said mortgage, which is to be a first mortgage.

The Canton Electric Light and Power Company on June 13, 1908, filed with this Commission its petition, under section 69 of the Public Service Commissions Law, for authority to execute and deliver a first mortgage upon all of its property and franchises for \$12,000, and to issue \$12,000 in bonds of the denomination of \$500 each, bearing five per cent. annual interest, to be secured by said mortgage, the proceeds to be used for the acquisition of property and the extension and improvement of the petitioner's plant. A hearing on this petition was held by this Commission in the Capitol, Albany, on June 22, 1908; *Worth Chamberlain* appeared for the petitioner. At this hearing it appeared that the purposes for which the bonds are to be issued will require the making of a mortgage for \$16,000 and the issuance of bonds to a like amount, and the petitioner was informed that it might file with the Commission an amended petition to this effect.

On July 2, 1908, the petitioner filed with the Commission an amended petition, asking authority to execute and deliver a first mortgage upon all of its property and franchises for \$16,000, and to issue thirty-two bonds of \$500 each, bearing five per cent. annual interest, to be secured by said mortgage, the proceeds to be used for the acquisition of property and the extension and improvement of the petitioner's plant. In the opinion of this Commission, from the amended petition herein and accompanying papers, and from the evidence taken at the hearing, the use of the capital to be secured by the issue by this petitioner of the first mortgage and first mortgage bonds hereinafter authorized is reasonably required for the said purposes of the corporation, to wit: the acquisition of property and the extension and improvement of the petitioner's plant. Upon the aforesaid amended petition and papers annexed thereto, and the evidence at the hearing on June 22, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Canton Electric Light and Power Company to execute and deliver a first mortgage for \$16,000 upon all of its property and franchises to secure the payment of a series of first mortgage bonds, bearing interest at the rate of five per cent. annually, of the aggregate amount of \$16,000.

Ordered: 2. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Canton Electric Light and Power Com-

pany to issue thirty-two bonds of the denomination of \$500 each, and bearing interest at the rate of five per cent. annually, to be secured by said first mortgage, said bonds not to be issued for less than their face value.

Ordered: 3. That the proceeds of said first mortgage bonds shall be devoted by Canton Electric Light and Power Company to and used for the following purposes and no other, to wit: the acquisition of property and the extension and improvement of said company's plant, as described in the amended petition and papers annexed thereto.

Ordered: 4. That said Canton Electric Light and Power Company shall make verified reports to this Commission, as follows: (a) Upon the sale of the \$16,000 first mortgage bonds authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended pursuant to the provisions of this order.

[Case No. 409]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Petition of the RECEIVER OF THE ALBION POWER COMPANY under section 69 of the Public Service Commissions Law for authority to issue \$20,000 in receiver's certificates.

Sanford T. Church, esq., receiver of Albion Power Company, having on July 23, 1908, filed with this Commission a petition for authority to issue \$20,000 in receiver's certificates on the property of said company in his hands, and said petition being accompanied by a certified copy of an order dated July 20, 1908, of Hon. Truman C. White, Justice Supreme Court, which order is recorded in the office of the clerk of Orleans county, authorizing the issuance of said certificates; and it being the opinion of this Commission that the use of the capital to be secured by the issue of such receiver's certificates is reasonably required for the improvement of the property in question, the details of such improvements being set forth in preambles and resolutions of this Commission dated July 7, 1908, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Sanford T. Church, esq., receiver Albion Power Company, to issue \$20,000 in receiver's certificates on the property of said company in his hands, in accordance with the said order of the Supreme Court.

Ordered: 2. That upon the completion of the improvements to said property referred to in the said order of this Commission of July 7, 1908, and in the said order of the Supreme Court of July 20, 1908, said receiver shall make to this Commission a verified report in detail, setting forth the improvements made and the cost thereof.

[See Case No. 296, July 7, 1908, page 295, and same case and number, August 12, 1908, page 300; October 14, 1908, page 305.]

[Case No. 403]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Petition of the KINGSTON GAS AND ELECTRIC COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue thirty-three bonds of the denomination of \$1000 each to be secured by a mortgage heretofore made.

The Kingston Gas and Electric Company having on July 10, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue thirty-three bonds of the denomination of \$1000 each, to be secured by its first mortgage dated July 1, 1902, for \$700,000, under which mortgage \$667,000 in bonds are now outstanding; and a hearing on said petition, after due notice, having been held by this Commission at its office in the Capitol, Albany, on July 22nd, and it satisfactorily appearing from the petition and accompanying papers that this petitioner is the owner of the property and franchises of the Rondout and Kingston Gas Light Company, which company has outstanding first mortgage 5 per cent. bonds to the amount of \$32,500, which bonds are past due; and it appearing that the proceeds of the thirty-three bonds of this petitioner, proposed to be issued, are to be used to pay the said \$32,500 in bonds of the Rondout and Kingston Gas Light Company; and it being the opinion of this Commission that the use of the capital to be secured by the issue of the thirty-three bonds of this petitioner, hereinafter authorized to be issued, is reasonably required for the said purpose of the corporation, to wit: the refunding of the said \$32,500 in bonds of the Rondout and Kingston Gas Light Company; now, after hearing A. T. Clearwater for the petitioner, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Kingston Gas and Electric Company to issue thirty-three gold bonds of the denomination of \$1000 each, bearing interest at 5 per cent. per annum, and to be secured by the first mortgage of said company dated July 1, 1902.

Ordered: 2. That said bonds shall not be sold for less than 90 per centum of their face value.

Ordered: 3. That said bonds, or the proceeds thereof, shall be devoted by Kingston Gas and Electric Company to and used for the following purpose and no other, to wit: the refunding of the said \$32,500 in bonds of the Rondout and Kingston Gas Light Company, which bonds are past due.

Ordered: 4. That said Kingston Gas and Electric Company shall make verified reports to this Commission, as follows: (a) Upon the sale or exchange of the thirty-three first mortgage bonds of the denomination of \$1000 each authorized by this order to be issued, or any part thereof, the fact of such sale or exchange, the terms and conditions of sale or exchange pursuant to the provisions of this order, and the amount realized from any sale; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said bonds, or the facts in relation to their exchange for said \$32,500 in bonds of the

Rondout and Kingston Gas Light Company, setting forth in reasonable detail the facts of the transaction or transactions; and that such reports shall be made until all the proceeds of said bonds have been expended, or until all of said bonds have been exchanged, pursuant to the provisions of this order.

[Case No. 292]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, N. Y., on the 12th day of August, 1908.

Present:

FRANK W. STEVENS, Chairman.
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of THE CONSUMERS NATURAL GAS COMPANY of Watkins, under section 69 of the Public Service Commissions Law, for consent to make a mortgage for \$85,000, and to issue thereunder seventy-five bonds of the denomination of \$1000 each, and twenty bonds of the denomination of \$500 each.

The Consumers Natural Gas Company of Watkins, Schuyler county, New York, on the 30th day of March, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for consent to execute a mortgage for \$85,000, and to issue thereunder seventy-five bonds of the denomination of \$1000 each, and twenty bonds of the denomination of \$500 each, said bonds to bear interest at 6 per centum per annum, to run for twenty years, and to cover all the property and after-acquired property of said applicant. A hearing on said petition, after public notice, was held at the office of the Commission in the Capitol, Albany, on the 20th day of April, 1908, and an adjourned hearing held at the same place on the 9th day of July, 1908, at which hearings *George C. Reynolds, esq.*, appeared for the applicant, and no one in opposition.

In the opinion of this Commission, from the petition and accompanying papers and from the evidence taken at the hearings, the use of the capital to be secured by the issue by this applicant of the said mortgage and bonds, hereinafter authorized, is reasonably required for the purposes of said corporation, to wit: the discharge or lawful refunding of its obligations as set forth and described in the petition and evidence taken at the hearings. Upon the aforesaid petition and accompanying papers, and upon the evidence taken at the hearings, and after due deliberation, it is

Ordered: 1. That the Commission does hereby consent to the execution by the applicant, the Consumers Natural Gas Company, to Samuel G. H. Turner, Elmira, N. Y., as trustee, of a mortgage upon all the property and franchises of said company now owned and hereafter to be acquired, to secure gold bonds to the amount of \$85,000, bearing not to exceed 6 per cent. interest annually, and maturing May 1, 1928, the said mortgage to be in accordance with the terms of the form of mortgage filed with the petition, subject, however, to the limitations as to the issue and sale of bonds thereunder as hereinafter prescribed.

Ordered: 2. That the applicant, the Consumers Natural Gas Company, be and is hereby authorized to set aside, and from time to time issue under the terms of said mortgage, gold bonds of the par value of \$25,000, bearing not to exceed 6 per cent. interest annually, the capital to be secured thereby being in the opinion of the Commission reasonably required, and the same to be used for the sole purpose, and no other, of retiring or refunding \$25,000 par value of 6 per cent. bonds maturing February 1, 1915, issued under a

mortgage executed by the applicant under date of February 1, 1905, to Samuel G. H. Turner, trustee; provided, however, that the said \$25,000 bonds hereby authorized to be issued shall be sold without discount, or exchanged par value for par value for the present outstanding bonds.

Ordered: 3. That the applicant, the Consumers Natural Gas Company, be and is hereby authorized to issue under said mortgage, and sell for not less than the par value thereof, bonds of the par value of \$17,500, bearing not to exceed 6 per cent. interest annually, the capital to be secured thereby being in the opinion of the Commission reasonably required, and the said bonds or the proceeds thereof to be used for the sole purpose, and no other, of discharging or paying off the present floating indebtedness of the applicant amounting to \$17,500, consisting of notes as follows: Unsecured note, payable to Merchants National Bank, Elmira, N. Y., dated Jan. 21, 1908, maturing May 21, 1908, \$5,000; unsecured note, payable to Second National Bank, Elmira, N. Y., dated July 18, 1905, payable on demand, \$5,000; unsecured note, payable to Farmers & Merchants Bank, Watkins, N. Y., dated Nov. 21, 1905, payable on demand, \$2,500; unsecured note, payable to Farmers & Merchants Bank, Watkins, N. Y., dated Dec. 6, 1905, payable on demand, \$2,500; unsecured note, payable to First National Bank or Horseheads, N. Y., dated Nov. 5, 1907, payable July 5, 1908, \$2,500.

Ordered: 4. That the applicant, the Consumers Natural Gas Company, be and is hereby authorized to issue under said mortgage bonds of the par value of \$37,000, bearing not to exceed 6 per cent. interest annually, the capital to be secured thereby being in the opinion of the Commission reasonably required, and the same to be used for the sole purpose, and no other, of discharging indebtedness in the sum of \$37,765.62, and the whole thereof, to J. Sloat Fassett of Elmira, N. Y., representing cash advances by said Fassett to the applicant to and including January 4, 1908.

Ordered: 5. That if any of the bonds hereby authorized for any reason may not be used by the applicant for the purposes set forth, the said bonds not so used shall be reported to the Commission, and shall be issued only upon the further order of the Commission.

Ordered: 6. That the remaining bonds provided for in said mortgage, to wit: bonds of the par value of \$5500, shall only be issued upon the further order of this Commission.

Ordered: 7. That the applicant, the Consumers Natural Gas Company, shall make verified reports to this Commission, as follows: (a) Upon the sale of the \$79,500 of bonds authorized by this order, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said bonds have been expended pursuant to the provisions of this order.

[Case No. 373]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLTMSTED,
 Commissioners.

In the matter of the Petition of the WILLIAMSVILLE ELECTRIC LIGHT AND POWER COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue \$35,000 common capital stock.

The Williamsville Electric Light and Power Company having on June 22, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue \$35,000 common capital stock of the par value of \$10 a share; and hearings having been held on said petition in the city of Buffalo on June 30, and July 17 and 24, 1908, *Edward H. Letchworth* appearing for the petitioner; and it appearing that this petitioner has received the required consent of the proper municipal authorities of the village of Williamsville and the town of Amherst, Erie county, to construct, maintain, and operate in the streets, highways, and public places of said village and town, the necessary poles, wires, appliances, and structures for the purpose of using, distributing, and furnishing to the public electricity for light, heat, or power; and it further appearing that the \$25,000 capital stock, or the proceeds thereof, hereinafter authorized, are to be used for the acquisition of property and the construction and completion of petitioner's plant and distributing system in said village and town as hereinafter described; now, upon the aforesaid petition and accompanying papers and evidence at the hearings, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Williamsville Electric Light and Power Company to issue \$25,000 common capital stock of said company of the par value of \$10 a share, it being the opinion of this Commission that the use of the capital to be secured by the issue of said \$25,000 common capital stock is reasonably required for the said purposes of the corporation as hereinafter more specifically described.

Ordered: 2. That of said \$25,000 common capital stock, \$15,000 or the proceeds thereof shall be devoted by said Williamsville Electric Light and Power Company to and used for the following purposes and no other, to wit: the acquirement of power house, and power house and water power equipment, and for outside line construction described as follows: power house 20x40; 1 150-kw. 60 cycle generator; 2 5-kw. excitors; 1 30-kw. 60 cycle alternator; 1 integrating wattmeter; 2 generator switchboards, complete; 2 potential transformers; 1 10-ton crane; 200-hp. water-wheel with governor; 400 feet $\frac{1}{4}$ -inch penstock feed pipe; 1 50-hp. turbine; dam construction 300x3x2 feet; 3 flood gates, steel constructed; wall to divert flood water around power house; 4 miles of 3-phase feeders, No. 4 wire, copper; 30 5-kw. 3-phase transformers; transformer oil.

That of said \$25,000 common capital stock, \$10,000 or the proceeds thereof shall be devoted to and used for the following purposes and no other, to wit: the acquirement by said Williamsville Electric Light and Power Company by deed in fee simple and free and clear of all liens and incumbrances of real estate and water rights described as follows: all that tract or parcel of land situate in the village of Williamsville, county of Erie, State of New York, bounded and described as follows: beginning at a point in the west line of Mill street, distant two hundred eight and fifty-six hundredths (208.56)

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feet north from its intersection with the north line of Main street, said point being in the north line of lands deeded to David L. Grove by John Wooster and wife by deed recorded in Erie county clerk's office in liber 1093 of deeds at page 331; thence northerly along the west line of Mill street one hundred eighty-seven and thirty hundredths (187.30) feet to a point; thence westerly at right angles to Mill street, two hundred sixty-two (262) feet to the west bank or wall of Ellicott or Eleven Mile creek; thence up and along the west bank or wall of said creek in a southerly direction about two hundred six (206) feet to its intersection with a line drawn through the place of beginning parallel with said north line of Main street; thence easterly along last mentioned parallel line being the north line of land deeded to said Grove as aforesaid, about two hundred five (205) feet to the west line of Mill street at the place of beginning. Also, all that other certain piece or parcel of land situate in lot number one, township and range aforesaid, on the south side of Main street in said village bounded east by lands of Margaret H. Evans, south and west by the center of Ellicott creek, and north by lands lately owned by John Hutchinson, deceased; containing about six acres of land be the same more or less; together with all the water rights and privileges contained in a certain deed from Benjamin S. Hershey and wife to Henry B. Evans, et al., recorded in liber 79 of deeds in the Erie county clerk's office at page 293, and together with the right and easement to have and to maintain the mill race at present extending between said two parcels of land, and over intervening land in its present location and extent.

Ordered: 3. That said Williamsville Electric Light and Power Company shall make verified reports to this Commission, as follows: Upon the sale or exchange of the \$25,000 common capital stock authorized to be issued by this order, or any part thereof, the fact of such sale or exchange, the amount realized therefrom, and the purposes to which devoted, in conformity to this order, to the property described above acquired by said exchange; and shall make such reports at the termination of each and every period of six months from the date of this order until all of the property described above has been so acquired by said company.

Ordered: 4. That any additional issue of capital stock on the part of this petitioner shall be applied for in the usual manner to this Commission.

[Case No. 256]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
Commissioners.

In the matter of the Application of MADISON COUNTY GAS AND ELECTRIC COMPANY, under section 69 of the Public Service Commissions Law, for consent to issue \$45,000 in gold bonds under a first consolidated mortgage.

The Madison County Gas and Electric Company on March 5, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue forty-five bonds of the denomination of one thousand dollars (\$1000), being interest at the rate of 5 per cent. per annum, to be secured by the first consolidated mortgage of said company to North American Trust Company as trustees, dated August 1, 1904, for \$300,000. A hearing, after public notice, was held on said petition at the office of this Commission at the Capitol, Albany, on the 31st day of March,

1908. Adjourned hearings were had, same place, on June 9, 1908, and July 9, 1908. Appearances: *Harry B. Austin* for the petitioner; and at the hearing on June 9, 1908, *Allan P. Sterne* for himself and certain preferred stockholders, in opposition; this opposition was withdrawn at the hearing.

From the petition and accompanying papers and from evidence at the hearing it appears that \$200,000 of the bonds authorized to be issued under the aforesaid first consolidated mortgage are retained by the trustees to retire \$200,000 of 5 per cent. gold bonds issued under a first mortgage dated January 1, 1907, and executed to the North American Trust Company as trustees, and that of the remaining \$100,000 first consolidated mortgage bonds, \$60,000 of the bonds are issued and outstanding; that the proceeds of the additional \$45,000 first consolidated mortgage bonds now proposed to be issued are to be used by the applicant for extensions and improvements of its plant and distributing system, estimated by the applicant to cost \$35,679.02, which is approximately eighty per cent. of the par of the forty-five bonds proposed to be issued; that the company expects to sell said bonds at eighty per centum of their par value. In the opinion of this Commission, from the petition and accompanying papers and from the evidence at the hearing, the use of the capital to be secured by the issue by this applicant of the forty-five bonds of the denomination of \$1000 each, hereinafter authorized, is reasonably required for the said purpose of the corporation: namely, the extension and improvement of its plant and distributing system, all of which is set forth and described in the petition and accompanying papers. Upon the aforesaid petition and accompanying papers and from evidence at the hearing, and after due deliberation, it is

Ordered: That under section 69 of the Public Service Commissions Law the applicant, the Madison County Gas and Electric Company, be and is hereby authorized to issue and sell forty-five first consolidated mortgage gold coupon bonds of the par value of one thousand dollars (\$1000) each, to bear interest at the rate of five per centum per annum, and to be secured by the first consolidated mortgage of said company to North American Trust Company as trustees, dated August 1, 1904, subject, however, to the conditions hereinafter prescribed, as follows:

1. That prior to the sale of the bonds authorized by this order to be issued, or any of them, and before beginning construction of the proposed transmission line hereinafter mentioned, the applicant, the Madison County Gas and Electric Company, file with this Commission a certified copy of the contract or agreement of sale by the Hudson River Electric Power Company and purchased by said Madison County Gas and Electric Company of electrical energy proposed to be delivered over said transmission line to the applicant in the city of Oneida at not to exceed two and one-half (2½) cents per kilowatt hour.
2. That said forty-five bonds and each of them shall not be sold for less than eighty per centum (80%) of their par value.
3. That the capital secured from the sale of said forty-five bonds shall be devoted to and used by the applicant, the Madison County Gas and Electric Company, for its corporate purposes as follows, and no other, viz: For the construction of a 60,000 volt transmission line from the steam plant of the said Madison County Gas and Electric Company in the city of Oneida, N. Y., to the village of Oneida Castle, and for the purchase of the necessary right of way therefor, not to exceed eight thousand five hundred sixty-seven dollars (\$8567); for the purchase and installation in the city of Oneida of a 40-cycle, 60,000 volt transformer, driving a 60-cycle generator by an induction motor, and the necessary instruments and appliances, not to exceed seventeen thousand four hundred thirty-five dollars (\$17,435); for putting in proper repair the overhead system of said Madison County Gas and Electric Company in the city of Oneida, and changing a part of such system from 60 to 40 cycles, not to exceed nine thousand six hundred seventy-eight dollars (\$9678); all of which purposes are more particularly set forth and described in the petition and accompanying papers.

4. That said Madison County Gas and Electric Company file with the Commission verified copies of the contracts or agreements entered into by said company for the extensions and improvements aforesaid, and shall make verified reports to this Commission as follows: (a) Upon the sale of the first consolidated mortgage bonds authorized by this order to be issued, or any of said bonds, the fact of such sale, the terms and conditions of such sale, and the amount realized therefrom; (b) at the termination of each period of six months from the date of this order, the disposition of the proceeds of said bonds, setting forth in reasonable detail the purposes to which such proceeds have been devoted; that such semi-annual reports shall be made until the expenditures authorized by this order, and all of such expenditures, shall have been made.

5. Any excess in the proceeds of this issue of bonds which may remain unexpended after the completion of the extensions and improvements aforesaid, or which may be realized from the sale thereof at a price exceeding eighty per centum (80%) of their par value, shall be held for such application to the cost of permanent additions to and improvements in the property of the company as the Commission shall hereafter approve.

[Case No. 262]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 19th
day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
Commissioners.

In the matter of the Petition of the HUDSON RIVER
WATER POWER COMPANY under section 69 of the
Public Service Commissions Law for authority to
issue first mortgage bonds in the sum of \$62,000.

The Hudson River Water Power Company having on the 11th day of March, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue sixty-two 5 per cent. gold bonds of the denomination of \$1000 each, secured by a first mortgage executed by the applicant under date of November 15, 1899, to the Trust Company of America as trustee, to secure two thousand first mortgage bonds of the denomination of \$1000 each; and hearings having been held on said petition by this Commission at its office in the Capitol on March 31 and July 9, 1908, Harry B. Austin appearing for the petitioner; now, upon the aforesaid petition and papers accompanying the same, and the evidence taken at the hearings, and after due deliberation, it is

Ordered: That said petition be and it is hereby denied.

[Case No. 422]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the MEXICO ELECTRIC COMPANY under sections 70 and 69 of the Public Service Commissions Law.

The Mexico Electric Company of Mexico, N. Y., having on September 7, 1908, filed with this Commission its petition under section 70 of the Public Service Commissions Law for consent to acquire from Edwin L. Huntington of Mexico, N. Y., the real estate, including power house, water power, engines, boilers, and machinery used in developing power and generating electricity for lighting said village; and under section 69 of the Public Service Commissions Law, for authority to execute a mortgage covering all the real and personal property owned by said corporation for \$10,000, and for authority to issue \$10,000 in bonds of the denomination of \$500 each to be secured by said mortgage; and it appearing that the consideration to be paid by said company to said Huntington for said works and system is \$5000 in cash and said \$10,000 in mortgage bonds of said company; and it further appearing that said company on July 24, 1908, filed with this Commission a petition as to issuing a mortgage and mortgage bonds, on which petition a public hearing was held by this Commission in Albany on August 5, 1908; and it being the opinion of this Commission that the use of the capital to be secured by the execution by this petitioner of said mortgage for \$10,000 and the issue by said petitioner of \$10,000 in bonds to be secured by said mortgage is reasonably required for the said purposes of the corporation, to wit: the acquisition from Edwin L. Huntington of said works and system; now, upon the afore-said petition, and after due deliberation, it is

Ordered: 1. That under section 70 of the Public Service Commissions Law this Commission hereby consents to the transfer by Edwin L. Huntington of Mexico, N. Y., to the Mexico Electric Company of Mexico, N. Y., of the real estate, including power house, water power, engines, boilers, and machinery used in developing power and generating electricity for lighting said village, now owned by said Edwin L. Huntington, for the consideration of \$5000 in cash and \$10,000 in mortgage bonds of said company.

Ordered: 2. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Mexico Electric Company of Mexico, N. Y., to execute and issue a mortgage for \$10,000, covering all the real and personal property owned by said company, to secure the payment of \$10,000 in bonds of said company of the denomination of \$500 each.

Ordered: 3. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Mexico Electric Company of Mexico, N. Y., to issue \$10,000 in bonds of the denomination of \$500 each to be secured by said mortgage.

Ordered: 4. That the proceeds of said bonds shall be devoted by the Mexico Electric Company to and used for the following purpose and no other, to wit: in part payment for the purchase from Edwin L. Huntington of Mexico, N. Y., of the real estate, including power house, water power, engines, boilers, and machinery used in developing power and generating electricity for lighting said village now owned by said Edwin L. Huntington.

Ordered: 5. That said Mexico Electric Company, upon the completion of said purchase and the issuance of said mortgage and said \$10,000 in bonds to be secured thereby in part payment for said purchase, shall file with this Commission a verified statement setting forth said transaction in accordance with the provisions of this order.

[Case No. 215]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Petition of CITIZENS ELECTRIC SERVICE COMPANY OF BATH, under section 69 of the Public Service Commissions Law, for authority to execute and deliver a first mortgage for \$75,000 and to issue \$75,000, par value, in bonds to be secured by said mortgage; and for authority to issue \$50,000 common capital stock.

The Citizens Electric Service Company of Bath having petitioned this Commission under section 69 of the Public Service Commissions Law for authority to issue common capital stock, and a first mortgage and mortgage bonds to be secured thereby, the proceeds to be used for the acquisition of property and the construction and completion of the plant and distributing system of the said company in substantial accordance with the plans and specifications therefor submitted to this Commission and filed with it; and hearings in said matter having been held in the city of Buffalo on August 14, 21, and 28, 1908; James McCall and C. J. Weimert appearing for the petitioner, and Cox, Kimball & Stowe appearing for the Bath Electric and Gas Light Company in opposition; now, upon the aforesaid papers and evidence at the hearings, and after due deliberation, and it being the opinion of this Commission that the use of the capital to be secured by the execution and delivery of the first mortgage and the issue of the first mortgage bonds and common capital stock of said petitioner hereinafter authorized are reasonably required for the said purposes of the corporation, to wit: the acquisition of property and the construction and completion of its plant and distributing system, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Citizens Electric Service Company of Bath to issue \$50,000 common capital stock of said company of the par value of \$25 a share, upon condition that said common capital stock shall be issued only at par for cash; or, if proposed to be issued for property or services, upon condition that said company secure the further authorization of this Commission to such issue for property or services after satisfactory proof as to the value of the property or services for which it is proposed to be issued.

Ordered: 2. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Citizens Electric Service Company of Bath to execute and deliver to some proper trustee to be selected by said company a first mortgage for \$75,000 upon all of the property and franchises of said company now owned or which may hereafter be acquired by it, to secure the payment of \$75,000, par value, in bonds; said mortgage to be in substantially the form submitted to this Commission.

Ordered: 3. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes, as hereinafter limited, Citizens Electric

Service Company of Bath to issue \$50,000, par value, in gold bonds to be secured by said mortgage, said bonds to be payable twenty years after date and to bear interest at the rate of six per centum per annum, payable semi-annually, upon condition that (a) none of said bonds shall be issued until the common capital stock of said company to the amount of \$50,000 shall have been subscribed for by responsible persons and proof of such subscriptions shall have been given to this Commission, with proof of the residence, business, and responsibility of the subscribers, and until a further order shall have been made by this Commission, upon said proof, approving of such subscriptions; (b) none of said bonds shall be sold for less than eighty-five per centum of their par value.

Ordered: 4. That said Citizens Electric Service Company of Bath shall make verified reports to this Commission, as follows: (a) Upon the sale of said \$50,000 common capital stock, or any part thereof, as authorized by this order to be sold, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom, which must be not less than par; or upon the issuance of said \$50,000 common capital stock, or any part thereof, for property or services, upon such further authorization, the facts of such issuance for such purposes; (b) upon the sale of the \$50,000 first mortgage bonds as authorized by this order, and as may be hereafter authorized as set forth above, or any part thereof, the terms and conditions of sale, and the amount realized therefrom; (c) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said stock and bonds, setting forth in reasonable detail the purposes to which the proceeds have been devoted, or the facts in relation to the issuance of said stock for property or services; and that such reports shall be made until all the proceeds of said stock and bonds have been expended or stock issued for property or services.

Ordered: 5. That any excess in the proceeds of said bonds which may be realized from their sale at a price exceeding eighty-five per centum of the par value thereof shall be held by the company for such application to the cost of permanent additions to and improvements of its property as this Commission shall hereafter approve.

{Case No. 442]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 18th
day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of CATARACT POWER AND CONDUIT COMPANY under section 69 of the Public Service Commissions Law for authority to issue one hundred and twenty bonds of the denomination of \$1000 each to be secured by a mortgage heretofore made.

The Cataract Power and Conduit Company having on August 19, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue one hundred and twenty bonds of the denomination of \$1000 each to be secured by its first mortgage dated January 1, 1897, for \$2,000,000; and a hearing on said petition having been held by this Commission at its office in the Capitol, Albany, on September 9, 1908, Kenefick, Cooke & Mitchell appearing for the petitioner; and it ap-

pearing that the proceeds of the one hundred and twenty bonds proposed to be issued by this petitioner are to be used to pay for extensions and improvements of its plant and distributing system and for the discharge of obligations of the petitioner incurred for similar purposes; and it being the opinion of this Commission that the use of the capital to be secured by the issue of the one hundred and twenty bonds as hereinafter authorized to be issued is reasonably required for the said purposes of this corporation, to wit: the extension and improvement of its plant and distributing system and the discharge of obligations incurred for similar purposes; now, upon this petition and accompanying papers and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes Cataract Power and Conduit Company to issue one hundred and twenty gold bonds of the denomination of \$1000 each, bearing interest at 5 per centum per annum, to be secured by the first mortgage of said company dated January 1, 1897.

Ordered: 2. That said bonds shall not be sold at less than 90 per centum of their par value; and if sold for more than 90 per centum of their par value, only such amount of said bonds shall be issued as shall realize the net sum of \$108,218.33.

Ordered: 3. That the proceeds of said bonds shall be devoted by Cataract Power and Conduit Company to and used for the following purposes and no other, to wit: the extension and improvement of its plant and distributing system to the estimated amount of \$65,625.25, and the discharge of obligations incurred by this petitioner for similar purposes to the amount of \$42,593.08, as set forth in detail by the petition herein.

Ordered: 4. That said Cataract Power and Conduit Company shall make verified reports to this Commission, as follows: (a) Upon the sale of the one hundred and twenty first mortgage bonds of the denomination of \$1000 each authorized by this order to be issued, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said bonds, pursuant to the provisions of this order; and that such reports shall be made until all the proceeds of said bonds have been expended pursuant to the provisions of this order.

[Case No. 309]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the PLATTSBURGH LIGHT, HEAT AND POWER COMPANY for an amendment to the order of this Commission dated April 29, 1908, in the petition of said company under section 69 of the Public Service Commissions Law for authority to make a mortgage for \$250,000, and for authority to issue two hundred and fifty thirty-year 5 per cent. gold coupon bonds of the denomination of \$1000 each to be secured by said mortgage.

The Plattsburgh Light, Heat and Power Company having on September 23, 1908, filed with this Commission its petition praying for amendment of the order entered in this proceeding on the 29th day of April, 1908, so that

paragraphs two and three of said order shall provide that the bonds therein authorized to be issued may be sold at not less than 85 per cent. of their par value and accrued interest, instead of 90 per cent. of the par value of said bonds; and it appearing from said petition, a copy of said order, and of the minutes of a meeting of the directors of the petitioner held at Plattsburgh, N. Y., September 19, 1908, that after diligent effort to effect a sale of the said bonds at 90 per cent. of their par value the petitioner is unable to do so, but is able to obtain and has been offered 85 per cent. of said par value; now, after due consideration, it is

Ordered: That paragraphs two and three of said order of the 29th of April, 1908, be and hereby are amended to read as follows:

"2. That the Plattsburgh Light, Heat and Power Company be and is hereby authorized to issue and sell sixty-five of said bonds secured by said mortgage for \$250,000 herein authorized, at a price not less than eighty-five per cent. of the par value thereof and accrued interest; that said Plattsburgh Light, Heat and Power Company shall with proceeds derived from the sale of said sixty-five bonds take up and discharge its unsecured indebtedness amounting approximately to \$60,000, as set forth in the petition and exhibit C attached to the petition, and that no part of the proceeds from the sale of said bonds shall be applied or used for any other purpose."

"3. That the Plattsburgh Light, Heat and Power Company be and is hereby authorized to issue and sell twenty-five of said bonds secured by said mortgage for \$250,000 herein authorized, at a price not less than eighty-five per cent. of the par value thereof and accrued interest; that said Plattsburgh Light, Heat and Power Company shall with the proceeds of said twenty-five bonds make extensions and improvements of its gas distributing system, which said extensions and improvements are set forth in the petition and schedule D attached to the petition herein, and that no part of the proceeds from the sale of said bonds shall be applied or used for any other purpose."

[See Case No. 309, April 29, 1908, page 345.]

[Case No. 329]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Application of the BROADALBIN ELECTRIC LIGHT AND POWER COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue \$42,500 common capital stock, and for authority to issue \$18,000 in bonds under its first mortgage dated July 1, 1907.

The Broadalbin Electric Light and Power Company having on May 5, 1908, filed with this Commission its application, under section 69 of the Public Service Commissions Law, for authority to issue \$42,500 common capital stock, and for authority to issue \$18,000 in mortgage bonds, the avails thereof to be used to pay indebtedness incurred for the acquisition of property, the construction, completion, extension, and improvement of its plant and distributing system, and for constructing a dam, power house, equipment, and transmission line mentioned in said application; and a hearing in said matter having been held in the city of Albany on June 8, 1908, *William Pierson Judson* and *H. C. Finch* appearing for the applicant; now, upon the petition and papers and evidence at the hearing, and after due deliberation,

and it being the opinion of this Commission that the use of the capital to be secured by the issuance by this applicant of the capital stock and mortgage bonds hereinafter authorized is reasonably required for the said purposes of the corporation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes, as hereinafter limited, Broadalbin Electric Light and Power Company to issue its common capital stock, par value \$100 a share, to the amount of \$42,500, upon condition that said stock shall not be sold or disposed of for less than the par value; and if issued for property or services, upon condition that the contract for such property or services shall be submitted to this Commission for its approval before the execution and delivery of the stock.

Ordered: 2. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes, as hereinafter limited, Broadalbin Electric Light and Power Company to issue its twenty-year five per cent. coupon bonds to the amount of \$18,000, upon condition that before any of said bonds be actually issued and delivered to purchasers, the terms of sale shall be reported upon oath to this Commission for its approval, all such sales to be subject to the approval of the Commission.

Ordered: 3. That the proceeds of said stock and bonds shall be devoted by Broadalbin Electric Light and Power Company to and used for the following purposes and no other: First, to pay notes of the said Broadalbin Electric Light and Power Company to the amount of \$12,600, as scheduled in the application, together with interest thereon; also to pay bills outstanding for materials and appliances to the amount of \$1788.26, as set forth in the application, it appearing satisfactorily to the Commission that the said indebtedness was incurred for the acquisition of property, the construction, completion, extension, or improvement of its plant and distributing system; the remainder of the avails of said stock and bonds to be used in constructing the dam, power house, equipment, and transmission line mentioned in said application.

Ordered: 4. That said Broadalbin Electric Light and Power Company shall make verified reports to this Commission, as follows: (a) Upon the sale for cash of said stock or any part thereof, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said stock and bonds, or the facts as to the property being acquired or services rendered for stock.

[See Case No. 329, November 17, 1908, page 375.]

[Case No. 122]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the ADIRONDACK GAS COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue \$50,000 bonds under a mortgage dated September 15, 1905, and to issue \$42,500 capital stock out of a total authorized issue of \$100,000.

After due deliberation, it is

Ordered: That the application of the Adirondack Gas Company, under section 69 of the Public Service Commissions Law, for authority to issue

\$50,000 bonds under a mortgage dated September 15, 1905, and to issue \$42,500 capital stock out of a total authorized issue of \$100,000, be closed on the records of this Commission, attorney J. H. McNeal stating at hearing of September 30, 1908, on application of Saranac Lake Gas Company, that such proceeding should be discontinued.

[Case No. 440]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol in the city of Albany on the 7th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of NEWBURGH LIGHT, HEAT AND POWER COMPANY for leave to issue its convertible debenture bonds in the aggregate amount of \$350,000.

Amending Order.

Whereas, Upon the application of the Newburgh Light, Heat and Power Company by petition verified the 28th day of March, 1908, for leave to issue its convertible debenture bonds in the aggregate amount of \$350,000, an order was made by this Commission on the 29th day of April, 1908, authorizing the issue of debenture bonds by said company in the aggregate sum of \$330,000 upon terms and conditions specifically set forth in said order; and

Whereas, The said company has made application by petition verified the 14th day of August, 1908, for an order supplementing, modifying, and amending the aforesaid original order in the following respect, to wit: that the subdivision of the order, part of said original order, numbered two, shall read as follows: "2. That the proceeds of said three hundred and thirty debenture bonds shall be devoted to and used by the applicant, the Newburgh Light, Heat and Power Company, for its corporate purposes as follows, and no other: namely, for the discharge and lawful refunding of its obligations, one hundred thirty-four thousand four hundred fifty dollars (\$134,450); to the cost of the underground conduits, fifty thousand dollars (\$50,000); to the cost of new gas apparatus, including two boilers, one oil tank, and new street mains, fifteen thousand dollars (\$15,000); to the construction work required on the thirty miles of high-tension transmission line north from the station at Newburgh to High Falls, seventy-one thousand dollars (\$71,000); to the construction of sub-stations, transformers, and apparatus in connection with said high-tension transmission lines, twenty-nine thousand dollars (\$29,000); to the construction of lines to supply current to the Ashokan Aqueduct contractors, eighteen thousand dollars (\$18,000); to general construction work in the gas and electric departments, as set forth in the petition herein, thirty-nine thousand nine hundred thirty dollars and seven cents (\$39,930.07); all of which are more particularly set forth and described in the petition and accompanying papers," upon which petition a hearing has been had and evidence taken; and

Whereas, It appears from the petition and upon the evidence that this application is made by reason of facts and circumstances arising subsequent to the making of the original order aforesaid, to wit: that after the filing of the original petition herein and the hearing and decision thereon by this Commission, the applicant abandoned its plan for the construction in the city of Newburgh of a new steam power generating plant at a cost of \$147,135 as authorized by this Commission in said order, and concluded an agreement for the purchase of electrical energy generated at Honk Falls, Ulster county; that the performance of said contract will necessitate the construction by the

applicant of an electric line, capable of transmitting 33,000 volts of electrical energy, running from the point of delivery of the energy to be purchased, at High Falls, Ulster county, to the generating plant of the applicant in the city of Newburgh; and that in the construction of said transmission line the applicant proposes to purchase and in part reconstruct approximately three miles of transmission line now owned by the Poughkeepsie Light, Heat and Power Company, and to use in the incorporated village of New Paltz the pole system of The Electric Light Company of New Paltz; and

Whereas, This Commission has this day, in further orders entered in the matters of certain applications supplementing and amplifying the petition herein, approved of and consented to the transfer by the Poughkeepsie Light, Heat and Power Company to the applicant of the three miles of transmission line aforesaid, and of the use by the applicant of the pole line of The Electric Light Company of New Paltz, and the construction of said transmission line from the city of Newburgh to High Falls; and it appearing desirable to change or modify the said original order so as to permit the use of the proceeds of the bonds therein authorized to be issued to be applied to the purposes set forth in said petition; now, upon the aforesaid application and accompanying papers and from evidence at the hearing, and after due deliberation, it is

Ordered: That the original order of this Commission made the 29th day of April, 1908, in the matter of the application of Newburgh Light, Heat and Power Company for leave to issue convertible ten-year debenture bonds to the amount of three hundred fifty thousand dollars, the same being recorded and filed in this office as Case No. 282, be and is hereby changed and modified in the following respect and no other, to wit: that paragraph "2" of said original order be stricken out, and that there be substituted in place thereof, with the same force and effect as the original order, the following, to wit: 2. That the proceeds of said three hundred thirty debenture bonds shall be devoted to and used by the applicant, the Newburgh Light, Heat and Power Company, for its corporate purposes as follows, and no other: namely, for the discharge and lawful refunding of its obligations, one hundred thirty-four thousand four hundred fifty dollars (\$134,450); to the cost of underground conduits, twenty-five thousand dollars (\$25,000), on the condition, however, that twenty-five of said debenture bonds shall be set aside and reserved until such time as construction of said underground conduits is desired to be begun, and that said bonds shall not be sold or the proceeds used as aforesaid until there has been filed with this Commission further proof in detail of the cost of said construction; to the cost of new gas apparatus: including two boilers, one oil tank, and new street mains, fifteen thousand dollars (\$15,000); to the construction work required on the thirty miles of high-tension transmission line north from the station at Newburgh to High Falls, sixty-five thousand eight hundred forty dollars (\$65,840); to the purchase from the Poughkeepsie Light, Heat and Power Company of the rights of way, poles, wires, attachments, and the entire construction of approximately three miles of electrical transmission line, commencing at the boundary line between the towns of Marlborough and Lloyd, county of Ulster, and running thence northerly to a point on said transmission line as now maintained at or near the Poughkeepsie bridge in the village of Highland, in the town of Lloyd, county of Ulster, State of New York, five thousand one hundred sixty dollars (\$5160); to the construction of sub-stations, transformers, and apparatus in connection with said high-tension transmission line, twenty-five thousand dollars (\$25,000); to the construction of lines to supply current to the Ashokan Aqueduct contractors, eighteen thousand dollars (\$18,000), on the condition, however, that eighteen of said debenture bonds shall be set aside and reserved for such construction, and shall not be sold or the proceeds used therefor until the routes of said lines have been definitely located and proof thereof filed with this Commission for approval of construction; to general construction work in the gas and electric departments as set forth in the petition herein, forty-one thousand five hundred fifty dollars (\$41,550).

[See Case No. 282, April 29, 1908, page 343; and three orders under this same date and case number, pages 302, 325, 326.]

[Case No. 402]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 21st
day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Joint Petition of the **WATERTOWN
LIGHT AND POWER COMPANY**, the **WATERTOWN GAS
LIGHT COMPANY**, and the **WATERTOWN LIGHT AND
POWER COMPANY (CONSOLIDATED)**, under sections 69
and 70 of the Public Service Commissions Law.

The Watertown Light and Power Company, the Watertown Gas Light Company, and the Watertown Light and Power Company (consolidated), having on July 13, 1908, filed with this Commission a joint petition under sections 69 and 70 of the Public Service Commissions Law for approval of the consolidation of said two first named companies forming the last named company, and for authority to said last named company to issue stock and bonds; and a public hearing on said petition having been held by this Commission in the city of Albany on August 5, 1908, *Elon R. Brown* appearing for the petitioners, and *I. R. Breen* appearing for the city of Watertown in opposition; now, upon the aforesaid petition and accompanying papers and arguments at the hearing, and briefs of counsel, and after due deliberation, it is

Ordered: That said joint petition be and it is hereby denied.

[Case No. 511]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 22nd
day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Petition of the **DEPOSIT ELECTRIC
COMPANY** of Deposit, N. Y., under section 69 of the
Public Service Commissions Law for authority to
issue demand notes to the amount of \$6500.

The Deposit Electric Company having on October 12, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue demand notes to the amount of \$6500, the proceeds thereof to be used for the purchase, and installation in the petitioner's power plant at Deposit, N. Y., of a new engine, the details of the cost being given in the petition; and it being the opinion of this Commission that the use of the capital to be secured by the issuance of said notes is reasonably required for the said purpose of the corporation, to wit: the improvement of its service; now, after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Deposit Electric Company of Deposit, N. Y., to issue its demand notes, for not less than the face thereof, to the aggregate amount of \$6500, to bear interest at not more than 6 per cent. per annum.

Ordered: 2. That the proceeds of said notes shall be used for the purchase, and installation in the petitioner's power plant at Deposit, N. Y., of one four-valve, high-speed, belted steam engine, with a capacity of 230 hp., as described in the petition herein.

Ordered: 3. That said Deposit Electric Company shall within six months from the date of this order make a verified report to this Commission setting forth the facts in relation to the issue of said notes and the purchase and installation of said steam engine.

[Case No. 539]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of October, 1908.

Present:

FRANC W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,

Commissioners.

In the matter of the Petition of THE ROME GAS, ELECTRIC LIGHT AND POWER COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue \$10,000 in bonds.

The Rome Gas, Electric Light and Power Company having on October 23, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue \$10,000 in bonds secured by a mortgage executed by said company on June 1, 1901, for the sum of \$400,000, under which \$390,000 in bonds have been issued; and it appearing from the petition and accompanying papers that the proceeds of the bonds hereinafter authorized to be issued are to be used to pay for the construction and installation of a six-foot six-inch water gas set, with foundations, building, and connections; and it being the opinion of this Commission that the use of the capital to be secured by the issue of said bonds is reasonably required for the said purposes of the corporation; now, upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes The Rome Gas, Electric Light and Power Company to issue its thirty-year five per cent. bonds to the amount of \$10,000 agreeable to the terms of its mortgage executed with the Union Trust Company of Detroit, Michigan, dated June 1, 1901, and recorded in the clerk's office of Oneida county.

Ordered: 2. That none of the bonds hereby authorized to be issued shall be sold for less than ninety per cent. of their par value.

Ordered: 3. That the proceeds of said \$10,000 in bonds shall be devoted by said company to and used for the following purposes and no other, to wit: to pay in part for the construction and installation of a six-foot six-inch water gas set, with foundations, building, and connections.

Ordered: 4. That said The Rome Gas, Electric Light and Power Company shall make verified reports to this Commission, as follows: (a) Upon the sale of said \$10,000 in bonds authorized by this order to be issued, the fact of such sale, the terms and conditions of sale, and the amount realized therefrom, which shall not be less than ninety per cent. of their par value; (b) when the proceeds of said bonds shall have been expended in accordance with the terms of this order, the facts in detail in relation to such expenditures.

[Case No. 329]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 17th day
of November, 1908.**

Present:

FRANK W. STEVENS, Chairman,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLMSTED,
 Commissioners.

In the matter of the Application of the **BROADALBIN
ELECTRIC LIGHT AND POWER COMPANY**, under section
69 of the Public Service Commissions Law, for author-
ity to issue \$18,000 in bonds.

Supplemental
Order.

After due deliberation, it is

Ordered: That the Broadalbin Electric Light and Power Company be and
it is hereby authorized to issue one of its twenty-year five per cent. coupon
bonds of the par value of \$500, for the par value thereof, pursuant to the let-
ter of the said company dated November 13, 1908.

[See Case No. 329, September 24, 1908, page 369.]

[Case No. 6]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, N. Y., on the
1st day of December, 1908.**

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBOURNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLMSTED,
 Commissioners.

In the matter of the **ROCKLAND LIGHT AND POWER COM-
PANY** of Nyack, Rockland county, N. Y., for leave to
issue general mortgage five per cent, thirty-year gold
bonds to the amount of five hundred thousand dollars
(\$500,000) out of a total authorized issue of one mil-
lion dollars (\$1,000,000).

In the matter of the Application of the **ROCKLAND
LIGHT AND POWER COMPANY** supplemental to the
above entitled application.

Whereas, The Rockland Light and Power Company was authorized by order
of this Commission dated August 21, 1907, to increase its bonded indebted-
ness from three hundred thousand dollars (\$300,000) to five hundred thou-
sand dollars (\$500,000) by the issue of five hundred (500) bonds of the par
value of one thousand dollars (\$1000) each, secured by a general mortgage
or deed of trust covering all the properties or property then held or there-
after to be acquired, said mortgage being given to secure one million dollars
(\$1,000,000) of general mortgage five per cent, thirty-year gold bonds; and

Whereas, By reason of the financial depression prevailing shortly thereafter
the mortgage so authorized was not made; and the Rockland Light and Power
Company, by petition verified November 13, 1908, supplemental to the afore-
said application, now asks that the form of the mortgage submitted and filed
with the said supplemental petition be approved by this Commission as in

compliance with the aforesaid order of August 21, 1907, and that the petitioner have leave to designate such mortgage as a first mortgage and the bonds to be issued thereunder as first mortgage bonds; and that out of the bonds authorized by the aforesaid order to be sold the petitioner have leave to purchase the certain two notes of the Rockland Electric Company referred to in the said supplemental petition aggregating seventeen thousand dollars (\$17,000) of principal, and also the consolidated mortgage bonds of the Nyack Gas Light and Fuel Company referred to in the said supplemental petition aggregating fifteen thousand dollars (\$15,000) of principal; and

Whereas, *Davies, Stone & Auerbach* (*Charles T. Tuttle, esq.*, of counsel) have appeared for the petitioner, and the said supplemental application has come on for determination before this Commission, and hearings have been had and evidence taken thereon at the office of the Commission in the Capitol in the city of Albany on the 24th and 30th days of November, 1908; and

Whereas, In the opinion of this Commission the use of the capital to be secured by the issue of the said five hundred thousand dollars (\$500,000) of bonds hereinafter authorized is reasonably required for the purposes of the corporation as set forth in the said petitions and accompanying papers: namely, the acquisition of property, the extensions and improvements of its plant and distributing system, the maintenance and improvement of its service, and the discharge and lawful refunding of its obligations, as described in a certified copy of a resolution of the board of directors of the petitioner adopted June 12, 1907, attached to the original petition herein and in the said supplemental petition; now, upon the said supplemental petition and the accompanying papers and the evidence taken at said hearings, and after due consideration, the use of the capital to be secured by the issue of the bonds hereinafter authorized being in the opinion of the Commission reasonably required for the purposes of the corporation herein specified, it is

Ordered: 1. That this Commission hereby authorizes Rockland Light and Power Company to make, execute, and deliver to the Guaranty Trust Company of New York as trustee, or to some other proper trustee to be selected by the said company, a first mortgage upon all of its property and franchises now owned or hereafter to be acquired, with the rents, issues, income, and profits thereof, to secure payment of a series of first mortgage thirty-year five per cent. gold bonds to the aggregate of one million dollars (\$1,000,000) of principal, bearing interest at the rate of five per cent. per annum, such mortgage to be in the form submitted with the aforesaid supplemental petition, which said form is hereby approved as in compliance with the aforesaid order of August 21, 1907, as modified by this order; and it is further

Ordered: 2. That this Commission hereby authorizes said Rockland Light and Power Company to issue thirty-year gold bonds, bearing interest at the rate of five per cent. per annum, to the amount of five hundred thousand dollars (\$500,000) to be secured by the aforesaid mortgage, each of said bonds to be of the denomination of one thousand dollars (\$1000); said bonds other than those to be exchanged as hereinafter provided not to be sold at less than ninety per cent. of their par value.

Ordered: 3. That the proceeds of said bonds be devoted to and used for the following purposes and no others, viz.: Three hundred thousand dollars (\$300,000) to be exchanged for and to retire a like amount of five per cent. forty-year bonds of the said company which mature November 1, 1941; to acquire two notes of the Rockland Electric Company aggregating seventeen thousand dollars (\$17,000) of principal, now held by certain banks, the said notes being the notes referred to in the aforesaid supplemental petition; to acquire the outstanding consolidated mortgage bonds of the Nyack Gas Light and Fuel Company aggregating fifteen thousand dollars (\$15,000) in principal, said bonds being the consolidated mortgage bonds of the Nyack Gas Light and Fuel Company referred to in the aforesaid supplemental petition; and the remainder of the said proceeds to be used in payment for extensions and betterments of the company's property already ordered and contracted for, including indebtedness incurred for payments made thereon as specified

and described in a certified copy of a resolution of the board of directors of the said company adopted June 12, 1907, and attached to the original petition herein; and for additional betterments and extensions described in the said original petition to the extent which the said remaining proceeds will purchase or construct the same; that upon the completion of the exchange of the bonds to the amount, par value, \$300,000, for the like amount of five per cent, forty-year bonds, the said retired bonds shall be canceled and the mortgage securing the same be duly discharged of record, and a verified report thereof made to this Commission; and it is further

Ordered: 4. That said Rockland Light and Power Company make verified reports to this Commission, as follows: (a) Upon the sale of said bonds, or any part thereof, the fact of such sale, and the amount for which said bonds were sold, and upon the exchange of any bonds a like report as to the fact; (b) at the termination of each and every period of three months after the making of this order, the disposition and use made of the proceeds of said bonds, setting forth in reasonable detail the purposes for which said proceeds were used; said reports shall be made until all the proceeds of said bonds shall have been expended or used pursuant to the provisions of this order.

Ordered: 5. That the aforesaid order made and dated August 21, 1907, be deemed and it hereby is modified as provided in this order, and as so modified to be and remain in full force.

[Case No. 445]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 2d day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of the TRI-COUNTY NATURAL GAS COMPANY under section 69 of the Public Service Commissions Law for authority to issue \$35,000 common capital stock.

The Tri-County Natural Gas Company having on August 10, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue \$35,000 common capital stock, par value \$100 a share; and a hearing on said petition having been held by Commissioners Stevens and Olmsted of this Commission in the city of Buffalo on November 27, 1908, J. S. L. Purdy appearing for the petitioner; and it appearing that the proceeds of said capital stock are to be used for the construction and completion of its plant and distributing system and the payment of its obligations incurred in organization and proceedings before this Commission as set forth in the schedules annexed to said petition; now, upon the aforesaid petition and accompanying papers and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Tri-County Natural Gas Company to issue \$35,000 common capital stock of said company of the par value of \$100 a share, the use of the capital to be secured by the issue of said stock being in the opinion of this Commission reasonably required for the said purposes of the said corporation.

Ordered: 2. That said \$35,000 common capital stock shall be issued only at par and for cash.

Ordered: 3. That the proceeds of said \$35,000 common capital stock shall be devoted by said Tri-County Natural Gas Company to and used for the following purposes and no other, to wit: the construction and completion of its plant and distributing system and the payment of its obligations incurred in organization and proceedings before this Commission as set forth in the schedules annexed to the petition herein.

Ordered: 4. That the Tri-County Natural Gas Company shall make verified reports to this Commission, as follows: (a) Upon the sale of said \$35,000 common capital stock or any part thereof, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom, (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said stock, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said stock have been expended pursuant to the provisions of this order.

[See Case No. 445, December 2, 1908, page 308.]

[Case No. 571]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 2d day
of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Petition of the CLEAR CREEK OIL
AND GAS COMPANY, under section 69 of the Public
Service Commissions Law, for authority to issue
\$15,000 common capital stock.

The Clear Creek Oil and Gas Company having on November 12, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue \$15,000 common capital stock, par value \$100 a share; and a hearing on said petition having been held by Commissioners Stevens and Olmsted of this Commission in the city of Buffalo on November 27, 1908, *Frank Kohn* appearing for the petitioner; and it appearing that more than \$12,000 in cash has been expended by the company in the construction of its plant, distributing system, and drilling of its natural gas wells, for which an equal amount of capital stock at par is now proposed to be issued; and it further appearing that the remaining \$3000 capital stock proposed is to be issued for cash at par, and the proceeds used from time to time in the extension of petitioner's distributing system, and purchase of meters and other tools and machinery; now, upon the aforesaid petition and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Clear Creek Oil and Gas Company to issue \$15,000 common capital stock of said company of the par value of \$100 a share, the use of the capital to be secured by the issue of said stock being in the opinion of this Commission reasonably required for the said purposes of said corporation.

Ordered: 2. That said \$15,000 common capital stock shall not be issued for less than its par value.

Ordered: 3. That \$12,000 of said common capital stock may be issued at once for that amount of money actually paid to said company by its stock-

holders and which was expended by it in the construction of its plant, distributing system, and drilling of its natural gas wells; and that the proceeds of \$3000 of said common capital stock may be issued at not less than par and for cash, hereafter at the option of petitioner's directors, and the proceeds shall be devoted to and used for the following purposes and no other, to wit: the extension of petitioner's distributing system, and purchase of meters and other tools and machinery.

Ordered: 4. That the petitioner shall make verified reports to this Commission, as follows: (a) Upon the issuance of said \$12,000 common capital stock or any part thereof the facts in relation thereto, including the names of those to whom issued and the number of shares issued to each; (b) upon the sale of said \$3000 common capital stock or any part thereof the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom, which shall not be less than the par value of said stock; (c) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said \$3000 common capital stock, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all of the proceeds of said \$3000 stock have been expended pursuant to the terms of this order.

[See Case No. 399, July 16, 1908, page 297.]

[Case No. 594]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLTMSTED,
Commissioners.

In the matter of the Petition of the SAUGERTIES GAS LIGHT COMPANY for consent to issue capital stock.

On reading and filing the petition of the Saugerties Gas Light Company of the village of Saugerties, county of Ulster, verified the 12th day of November, 1908, and filed in this office November 24, 1908, for consent to increase its capital stock from \$32,000 to \$50,000 by the issue of seven hundred and twenty shares of additional capital stock of the par value of \$25 each; and the attached affidavit of Thomas F. Walsh, superintendent of said company, verified the 12th day of November, 1908, in support of said petition; and it appearing that the company proposes to sell said \$18,000 stock at not less than par, and to devote the proceeds realized therefrom to the discharge or lawful refunding of its obligations, and for extensions and improvements to its plant and distributing system, and for the improvement and maintenance of its service, all of which expenditures are set forth and described in detail in the petition; and it being the opinion of the Commission that the use of the capital to be secured by the issue of said stock is reasonably required by the applicant for said purposes; now, after due deliberation, it is

Ordered: 1. That this Commission hereby consents to the issue by the said Saugerties Gas Light Company of additional capital stock in the amount of eighteen thousand dollars (\$18,000), to consist of seven hundred twenty (720) shares of stock of the par value of twenty-five dollars (\$25) each, and the sale thereof at not less than said par value.

Ordered: 2. That the proceeds realized from the sale of said stock shall be devoted to and used by the said Saugerties Gas Light Company for the

following purposes and for no other, to wit: for improvements to its plant, consisting of the installation of one purifying box, one condenser, one tar extractor, one Fleming half-depth bench of four retorts to replace direct firing bench of three retorts, one tar well, and enlargement of coal bin, one thousand eight hundred sixty-nine dollars (\$1869); to improvements to distributing system, consisting of two thousand (2000) feet of eight-inch cast-iron pipe, one thousand (1000) feet of six-inch pipe, two thousand (2000) feet of two-inch pipe, and the installation of one hundred (100) new services and one hundred fifty (150) meters, six thousand six hundred twenty-five dollars (\$6625); to the discharge or lawful refunding of its obligations, consisting of certain promissory notes for twelve months each, and dated respectively January 1, 1908, to William R. Kenan, jr., for four thousand forty dollars and thirty cents (\$4040.30); to Robert D. Goodman, three thousand five hundred sixty-four dollars and ninety-six cents (\$3564.96); to Thomas F. Walsh, one thousand nine hundred one dollars and thirty-two cents (\$1901.32); and amounting in all to nine thousand five hundred six dollars and fifty-eight cents (\$9506.58).

Ordered: 3. That said Saugerties Gas Light Company make verified reports to this Commission, as follows: (a) Upon the sale of said stock or any part thereof the fact of such sale and the amount for which said stock was sold; (b) at the termination of each and every period of three months after the making of this order, the disposition and use made of the proceeds of said stock, setting forth in reasonable detail the purposes for which said proceeds were used; said reports shall be made until all the proceeds of said stock shall have been expended or used pursuant to the provisions of this order.

[Case No. 585]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the GENESEE VALLEY POWER COMPANY, under section 69 of the Public Service Commissions Law, for authority to execute and deliver a first mortgage for \$18,000 and to issue an equal amount of bonds to be secured by said mortgage.

The Genesee Valley Power Company having on November 18, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to execute and deliver a first mortgage for \$18,000 covering all the property and franchises of said company, and to issue an equal amount in bonds bearing 5 per cent. interest per annum to be secured by said mortgage: one thousand dollars of said bonds to be payable on or before January 1, 1910, and one thousand dollars on or before the 1st day of each January thereafter, until all are paid; and it appearing that the proceeds of said bonds are to be used exclusively for the payment of outstanding notes of said corporation, the amount so outstanding being about the sum of \$18,750, the proceeds of which were used by said company for the acquisition of property and the construction, completion, and extension of its facilities; now, upon the aforesaid petition and accompanying papers, and after due deliberation, and it being the opinion of this Commission that the use of the capital to be secured by the execution and delivery of the mortgage and the issuance of the mortgage bonds hereby authorized is reasonably required for the said purposes of the corporation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Genesee Valley Power Company to execute and deliver to some proper trustee to be selected by it a first mortgage covering all the property and franchises of said company, to secure the payment of \$18,000 in bonds of said company hereby authorized to be issued.

Ordered: 2. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Genesee Valley Power Company to issue \$18,000 in bonds bearing interest at the rate of 5 per cent. per annum, one thousand dollars of which bonds shall be payable on or before January 1, 1910, and one thousand dollars on or before the 1st day of each January thereafter, until all are paid.

Ordered: 3. That said bonds shall not be sold or disposed of at less than their par value without the further order of this Commission.

Ordered: 4. That the proceeds of said bonds shall be devoted by the Genesee Valley Power Company to and used exclusively for the payment of outstanding notes of the said corporation, the amount so outstanding being about the sum of \$18,750, as set forth in the petition of said company.

Ordered: 5. That said Genesee Valley Power Company, upon the issuance of said mortgage and said mortgage bonds and payment of said notes, shall make a verified report to this Commission, setting forth in detail the facts of such transactions.

[Case No. 605]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of THE SOUTHERN DUTCHESS GAS AND ELECTRIC COMPANY for amendment of an order dated June 5, 1907, of the former Commission of Gas and Electricity.

Upon the application of The Southern Dutchess Gas and Electric Company, and after hearing and due deliberation, it is

Ordered: That the order of the former Commission of Gas and Electricity made on the 5th day of June, 1907, in the matter of the application of said company for consent to issue 5 per cent. twenty-year second mortgage bonds to the amount of \$23,500, be and hereby is amended, so far as it lies in the power of this Commission to amend the same, by striking out in said order the words and figures "seven thousand feet of eight-inch mains, \$8500," and inserting in place thereof the words and figures "to pay note of \$8000 given for money used in laying mains and for use in laying further mains, \$8500"; and this Commission does hereby authorize said company to issue its bonds to the amount of \$8500 for the purposes set forth in said amendment to said order, said bonds to be, however, a part of the total issue of \$23,500 authorized by said order of the Commission of Gas and Electricity; the use of the capital to be secured by the issue of said bonds being in the opinion of the Commission reasonably required for the said purposes of the corporation.

[Case No. 623]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the KATONAH LIGHTING COMPANY, under section 69 of the Public Service Commissions Law, for authority to issue \$10,000 common capital stock.

The Katonah Lighting Company having on December 8, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue \$10,000 common capital stock, par value \$100 a share; and it appearing that the proceeds of said capital stock are to be used for the improvement of the petitioner's plant and extension of its distributing system, as set forth in detail in said petition; now, upon the aforesaid petition and accompanying papers, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Katonah Lighting Company to issue \$10,000 common capital stock of said company of the par value of \$100 a share, the use of the capital to be secured by the issue of said stock being in the opinion of this Commission reasonably required for the said purposes of the said corporation.

Ordered: 2. That said \$10,000 common capital stock shall be issued only for cash at the par value thereof.

Ordered: 3. That the proceeds of said \$10,000 common capital stock shall be devoted by said Katonah Lighting Company to and used for the following purposes and no other, to wit: the improvement of its plant and extension of its distributing system, as set forth in detail in said petition.

Ordered: 4. That the Katonah Lighting Company shall make verified reports to this Commission, as follows: (a) Upon the sale of said \$10,000 common capital stock, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom, which shall not be less than the par value of said stock; (b) at the termination of each and every period of six months from the date of this order, the disposition and use made of the proceeds of said stock, setting forth in reasonable detail the purposes to which the proceeds have been devoted; and that such reports shall be made until all the proceeds of said stock have been expended pursuant to the provisions of this order.

[Case No. 634]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 18th
day of December, 1908.**

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Petition of the **ROCHESTER RAILWAY AND LIGHT COMPANY**, under section 69 of the Public Service Commissions Law, for authority to issue \$10,000 in bonds under its consolidated mortgage dated June 15, 1904.

The Rochester Railway and Light Company having on December 15, 1908, filed with this Commission its petition under section 69 of the Public Service Commissions Law for authority to issue \$10,000 in bonds, bearing interest at the rate of 5 per cent. per annum, payable on the 1st day of July, 1954, pursuant to the terms and conditions of its consolidated trust mortgage dated the 15th day of June, 1904, executed to the Security Trust Company of Rochester as trustee, the proceeds of said bonds to be used exclusively in paying a mortgage upon certain property owned by said company; now, upon the aforesaid petition, and after due deliberation, it is

Ordered: 1. That under section 69 of the Public Service Commissions Law this Commission hereby authorizes the Rochester Railway and Light Company to issue its bonds to the amount of \$10,000, bearing interest at the rate of 5 per cent. per annum, payable on the 1st day of July, 1954, pursuant to the terms and conditions of its consolidated trust mortgage dated the 15th day of June, 1904, executed to the Security Trust Company of Rochester as trustee.

Ordered: 2. That said \$10,000 in bonds be sold at not less than 95 per cent. of their par value.

Ordered: 3. That the proceeds of said \$10,000 in bonds shall be used exclusively in paying a mortgage upon certain property owned by said company, said mortgage having been executed by Wray L. Cole to the University of Rochester, for \$20,000, on the 26th day of July, 1900.

Ordered: 4. That said Rochester Railway and Light Company shall make verified reports to this Commission, as follows: (a) Upon the sale of said \$10,000 in bonds, or any part thereof, the fact of such sale, the terms and conditions of sale, and the amounts realized therefrom, in accordance with the terms of this order; (b) within sixty days from the date of this order, the disposition and use made of the proceeds of said bonds, in accordance with the terms of this order.

APPENDIX K.

IN THE MATTER OF VARIOUS APPLICATIONS AND COMPLAINTS
NOT OTHERWISE CLASSIFIED.

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APPENDIX K.

[Case No. 143]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of M. P. MASON *against*
THE NEW YORK CENTRAL AND HUDSON RIVER RAIL-
ROAD COMPANY.

The complainant having withdrawn the complaint,

Ordered: That the matter be closed on the records of this Commission, and that the hearing therein set for Wednesday, February 12, 1908, 10 a. m., in the city of Watertown, be and is hereby canceled.

[Case No. 227]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBOBNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

Whereas, Section 77 of chapter 429, laws of 1907, provides that if in any city of the first or second class there now exists or shall hereafter be created a board, body, or officer having jurisdiction of matters pertaining to gas or electric service, such board, body, or officer shall have and may exercise such power, jurisdiction, and authority in enforcing the laws of the State and the orders, rules, and regulations of the Commission as may be prescribed by statute or by the Commission; and

Whereas, Pursuant to chapter 457 of the laws of 1907, there now exists in the city of Syracuse a commissioner of public safety having jurisdiction of matters pertaining to gas or electric service; it is

Resolved, That the Commission does hereby prescribe, and said commissioner of public safety shall have and may exercise within said city of Syracuse, pursuant to and in compliance with the orders, rules, and regulations of this Commission, the power, jurisdiction, and authority as provided in section 67 of chapter 429 of the laws of 1907: 1, to inspect, examine, prove, and ascertain the accuracy of any and all gas meters used or intended

to be used for measuring or ascertaining the quantity of illuminating or fuel gas or natural gas furnished by any gas corporation to or for the use of any person in said city of Syracuse, and when found to be or made to be correct, to stamp or mark all such meters and each of them with the device adopted by this Commission for that purpose; 2, upon request in writing by any consumer in said city of Syracuse to whom a gas or electric meter has been furnished, to inspect such meter, to have the same inspected and tested; if the same on being so tested shall be found to be 4 per cent. if an electric meter, or 2 per cent. if a gas meter, defective or incorrect to the prejudice of the consumer, the inspector shall order the gas or electrical corporation forthwith to remove the same and to place in stead thereof a correct meter, and the expense of such inspection and test shall be borne by the corporation; if the same on being so tested shall be found to be correct, the expense of such inspection and test shall be borne by the consumer. A uniform reasonable charge as fixed by this Commission shall be made for this service, and the fees received therefrom transferred to the Commission to be paid by it, pursuant to law, into the state treasury; and it is further

Resolved, That this resolution shall take effect on the 1st day of March, 1908, and that the mayor of Syracuse and the said commissioner of public safety be served with a certified copy hereof.

[Case No. 190]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of ARTHUR J. PHILLIPS
of Norwood *against* NORWOOD ELECTRIC LIGHT AND
POWER COMPANY.

A. J. Phillips on December 27, 1907, filed with this Commission a formal complaint against the Norwood Electric Light and Power Company, alleging that the company refused to furnish to complainant electric current for lighting his residence in the village of Norwood, having in July last disconnected the wire by which the complainant had previously been furnished electricity for lighting at a flat rate of twenty-five dollars per year for 160 candle-power; and that such refusal was in violation of its franchise. A portion of the franchise from the village to the company is as follows:

"And it is further agreed that said first party shall and will during said term of five years supply and furnish electric lighting for public and private use to any party or person desiring the same within the corporate limits of the said village of Norwood, either on the meter system or on the so called 'flat rate' system as may be desired by the consumer or purchaser; and that the rate charged for 'flat rate' lighting shall not exceed the rates heretofore and now charged for the same service during the same hours as heretofore. And that the rate charged on the meter-rate system shall be not to exceed nine cents per thousand watts. Said first parties are to give all-night service, but it is understood and agreed that those persons and parties who use lights on the 'flat rate' system, shall not be provided with greater service nor longer hours of lighting than what has been heretofore provided without paying for such extra service and longer hours. And said first party shall and will furnish lights as aforesaid and in such quantities and amount as the consumer may desire for lighting purposes at the rates aforesaid to any and all persons and parties within said corporate limits who or which shall desire the same, the same to be so furnished within a reasonable time after request from such persons and parties to furnish the same."

The complaint also alleged that the twenty-five dollars per year flat rate is the rate "now charged for the same service during the same hours as heretofore".

The company answered, admitting these allegations, but asserting that its refusal was because the complainant had been using more electricity than his contract called for, and did not desist after notice.

A hearing in this matter was held by this Commission in the city of Albany on February 17, 1908; complainant appeared in person; *S. R. Phelps*, secretary, appeared for the company. Upon the evidence taken at the hearing, and after due deliberation, it is

Ordered: 1. That the Norwood Electric Light and Power Company furnish to complainant's present residence in the village of Norwood electricity for lighting said residence.

Ordered: 2. That the price to be charged by said company for such electric light shall be a flat rate of twenty-five dollars per year for 160 candle-power; and that the company shall furnish complainant such additional electric light as he may desire for lighting such residence at the same proportionate rate.

Ordered: 3. That the electric light shall be furnished daily by the company to complainant's residence from dusk until one a. m., and with morning service from five a. m.; these times being intended to be the same as those during which electricity has been and is furnished by the company to other persons in Norwood under similar circumstances.

Ordered: 4. That the company shall render bills to complainant for electricity used each calendar month, the bills to be presented on the first day of the succeeding month and to be paid by complainant within ten days after their presentation.

Ordered: 5. That complainant allow the company or its representatives to enter his said residence at reasonable times to inspect the electric installation and electric lamps to determine the amount of electricity used.

Ordered: 6. That this order shall take effect February 24, 1908, and shall continue in force until modified or abrogated by this Commission.

[Case No. 117]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of RESIDENTS OF TOWNS
ON THE FAR ROCKAWAY BRANCH *against* THE LONG
ISLAND RAILROAD COMPANY as to passenger train
service.

On November 2, 1907, there was filed with this Commission a complaint against The Long Island Railroad Company by Isaac M. Lawrence and other residents on the Far Rockaway branch of said company's railroad, alleging that the company had discontinued for the winter a passenger train which formerly left Valley Stream at 7:45 a. m. for Flatbush avenue, Brooklyn, arriving at Flatbush avenue at 8:28, without change; that this train had been operated at a convenient time for residents on the Far Rockaway branch;

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that for this train the company had substituted one not so convenient, leaving Valley Stream nineteen minutes earlier, and not running through to Flatbush avenue, but compelling a change at Woodhaven junction. Complainants asked that the 7:45 a. m. train be restored.

A hearing in the matter was held in New York city on November 14th, at which *Isaac M. Lawrence* appeared for complainants, and *Joseph F. Keany* appeared for The Long Island Railroad Company. Upon the evidence taken at the hearing, and after due deliberation, it is

Ordered: That this complaint be and it is hereby dismissed, without prejudice to its renewal before the winter passenger train schedule of 1908-9 is put into effect on said Far Rockaway branch.

[Case No. 160]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 25th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of GOODWIN BROWN of Yonkers against THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to some passenger trains which stop at Yonkers not stopping at the Kings Bridge station, New York city.

Ordered: That the complainant having failed to appear at the hearing in this matter, of which he received notice by order dated January 14, 1908, and which hearing was held by this Commission in the city of New York on February 3, 1908, the complaint be and it is hereby dismissed.

[Case No. 242]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 25th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Application of BUFFALO, LOCKPORT AND ROCHESTER RAILWAY COMPANY, under section 33 of the Railroad Law, as to highway crossing signboards.

Buffalo, Lockport and Rochester Railway Company on February 18, 1908, filed with this Commission an application, under section 33 of the Railroad Law, for approval of a form of highway crossing signboard to be erected and maintained by said company at points where its railway crosses highways at grade. Accompanying the application was a blue-print plan of the signboard proposed to be used, and the engineer of grade crossings in this

department recommended its approval. Upon the papers in this application, and after due deliberation, it is

Ordered: 1. That this Commission, under section 33 of the Railroad Law, approves, and it does hereby approve, the shape and design of a highway crossing signboard (shown by a blue-print plan thereof attached to this application on file in this office) to be placed and constantly maintained by the Buffalo, Lockport and Rochester Railway Company at highway grade crossings of said company's railway.

Ordered: 2. Under section 33 of the Railroad Law, that said signboards shall be severally located at such crossings so as to be readily seen by persons on the highway approaching the crossings, and that the elevation of such signboards and the words of warning thereon shall be as shown by said blue-print plan.

[Case No. 146]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of February, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of ELVIN N. EDWARDS
of Freeport *against* NEW YORK AND LONG ISLAND
TRACTION COMPANY.

Elvin N. Edwards of Freeport, Long Island, on December 4, 1907, filed with this Commission a formal complaint against the New York and Long Island Traction Company, alleging that public interests and safety require that the company's single-track railroad, extending from Mineola to Freeport, from Hempstead to Queens, and from Freeport to the borough of Brooklyn, New York city, should be double tracked; also alleging that the company is violating the provisions of the franchise granted to it by the local authorities of the town of Hempstead, Nassau county, in charging more than five cents fare for a distance of five miles or less.

A hearing in this matter and in the matter of a complaint from the Freeport Board of Trade against the company, as to double tracking, was held by this Commission in the city of New York on February 3d. The complainant appeared in person for himself and the Freeport Board of Trade; *Van Vechten Veeder* appeared for the company. The complaint that the railroad should be double tracked has not yet been determined by this Commission, and this order is confined to the matter of fare.

It appears from the papers in the case and from the evidence at the hearing that by the terms of a franchise granted by the commissioners of highways of the town of Hempstead, county of Nassau, to the Mineola, Hempstead and Freeport Traction Company, and accepted by said company, under which franchise the New York and Long Island Traction Company is now operating its railroad in the town of Hempstead, the name of said Mineola, Hempstead and Freeport Traction Company having been changed to the New York and Long Island Traction Company, the said New York and Long Island Traction Company is restricted to charge not exceeding ten cents for one continuous passage in either direction over its entire line as described in its original articles of association, and to a charge not exceeding five cents for any five miles or less over said line; and that the said New York and Long Island Traction Company is now charging ten cents for a single passage between

the villages of Hempstead and Freeport, the distance being less than five miles. Upon the evidence in this matter, and after due deliberation, it is

Ordered: 1. That the New York and Long Island Traction Company be and it is hereby ordered and directed to receive and collect not to exceed ten cents for one continuous passage in either direction over its entire line, as described in its original articles of association, and to receive and collect not to exceed five cents for a single passage not exceeding five miles in length over and along the said line in either direction.

Ordered: 2. That this order shall take effect forthwith upon its being served on said company, and shall continue in force until modified or abrogated.

[Case No. 108]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEF,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAUÉ,
Commissioners.

In the matter of the Complaint of EDWARD G. HEREN-DEEN and HUBERT C. MANDEVILLE against UNITED STATES EXPRESS COMPANY.

The Commission having on the 19th day of February, 1908, decided that defendant's certain rule or regulation involved in this proceeding is unlawful, and that order fixing the reasonable and just rule or regulation to be substituted therefor be withheld until March 1, 1908, to afford opportunity to defendant to prepare and submit a new rule or regulation for approval by the Commission, and defendant having on the 28th day of February submitted a proposed rule or regulation which reads as follows:

"Agents at common points must decline to accept for transportation, except as provided below, business originating at their offices destined to exclusive offices of other companies having offices at points of origin; provided, however, that agents must accept said shipments upon prepayment by the shipper of the full amount necessary to pay the charges of this company in advance at its regular local rate, to the point of transfer to the connecting company, and in addition the full amount necessary to pay in advance the charges of the connecting company or companies from point of transfer to destination. Such prepaid shipments must be accepted and waybilled the same as any ordinary prepaid shipment."

And it appearing to the Commission that such proposed rule or regulation does not fully cover the transportation to which it may apply, and should provide affirmatively for acceptance of shipments, it is

Ordered: That defendant, the United States Express Company, be and is hereby notified and required to establish and put in force the following regulation covering transportation within the State of New York:

Shipments originating at offices of this company destined to points served only by another express company which also has an office at the point where the shipments originate will be accepted and forwarded when a joint tariff between this company and other companies participating in the through transportation is in effect according to the terms of such tariff, and when no joint tariff is in force such shipments will be accepted and forwarded upon prepayment by the shipper of the charges of this company to the point of transfer to the connecting carrier together with the charges of the connecting carrier or carriers from such point of transfer to destination. Such prepaid shipments must be accepted and waybilled the same as an ordinary prepaid shipment.

And it is further Ordered: That the foregoing regulation shall be made effective by defendant on March 18, 1908, the schedule or supplement containing the same to be published at stations and filed with this Commission on or before March 15, 1908, and that this order shall remain in force until the same shall be suspended or vacated by the further order of this Commission, either upon application of defendant or other suitable proceedings under the Public Service Commissions Law.

[Case No. 48]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of CERTAIN RESIDENTS OF THE CITY OF NIAGARA FALLS against BUFFALO AND NIAGARA FALLS ELECTRIC LIGHT AND POWER COMPANY, as to prices charged for electricity.

This matter having been investigated by this Commission, and public hearings held therein, now, after due deliberation, it is

Ordered: That said complaint be and the same is hereby dismissed, no one of the complainants having appeared at the hearing appointed thereon at the common council chamber in said city on March 5, 1908.

[Case No. 49]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of CERTAIN RESIDENTS OF THE CITY OF NIAGARA FALLS against NIAGARA FALLS GAS AND ELECTRIC LIGHT COMPANY, as to price and quality of gas furnished.

This matter having been investigated by this Commission, and public hearings held therein, now, after due deliberation, it is

Ordered: That said complaint be and it is hereby dismissed.

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[Case No. 127]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of delays of passenger train known as the Continental Limited on the West Shore Railroad (leased to and operated by The New York Central and Hudson River Railroad Company).

This matter having been investigated by this Commission, and hearings held therein at which the company was represented, now, after due deliberation, it is

Ordered: 1. That The New York Central and Hudson River Railroad Company, as lessee of the West Shore Railroad, be required to operate present train No. 4 of the West Shore railroad, starting from Albany at 12:25 p. m., at least as far as Newburgh (where a connection can be made with train No. 50, leaving Newburgh for Weehawken at 3:55 p. m.) on each occasion when train No. 1004 on the West Shore railroad, known as the Continental Limited, is reported thirty minutes or more late at RAVENA, Albany county.

Ordered: 2. That this order shall take effect on Thursday, March 19, 1908, and shall continue in force until modified or abrogated by this Commission.

[Case No. 126]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of the MAYOR OF YONKERS against YONKERS RAILROAD COMPANY.

The Commission having been advised that certain judicial proceedings have resulted in the appointment of Leslie Sutherland as receiver of the respondent, Yonkers Railroad Company, and it appearing to the Commission that the said Leslie Sutherland as receiver of the Yonkers Railroad Company should be made a party respondent to this proceeding, it is

Ordered: That said Leslie Sutherland, receiver of the Yonkers Railroad Company, be and is hereby made an additional respondent in this proceeding, and that said new respondent be served with a copy of this order and of the complaint herein with leave to file and serve answer to said complaint within ten days from the date hereof.

[See Case No. 378, July 8, 1908, page 173; Case No. 378, July 13, 1908, page 174; Case No. 378, September 1, 1908, page 180; Case No. 166, September 28, 1908, page 436; and Case No. 167, September 29, 1908, page 438.]

[Case No. 206]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,

Commissioners.

In the matter of the Complaint of C. D. LASHER
against THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, as to station facilities at North Germantown.

Resolved, In the matter of the complaint of C. D. Lasher against The New York Central and Hudson River Railroad Company: that The New York Central and Hudson River Railroad Company be notified that the Commission will require the erection and maintenance of a station building at North Germantown on its Hudson division, properly heated in cold weather, and suitable for the accommodation of passengers previous to being received upon and after being discharged from trains stopping at North Germantown, such station building to have a waiting room which will accommodate comfortably not less than twenty passengers; and that said company shall submit to the Commission for approval its plans for said station building on or before March 30, 1908, together with any alternative plan or plans it may deem sufficient or desirable for such purposes.

[Case No. 163]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,

Commissioners.

In the matter of the Complaint of COMMUTERS OF OSSINING *against THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY*.

Whereas, The defendant did on or about October 27, 1907, discontinue the stopping of its southbound train No. 92 at Ossining, and thereby deprived a large number of passengers residing at Ossining of the service of such train to its Grand Central or Lexington Avenue terminal, New York city, which train formerly left Ossining at 7:36 a. m., and arrived at Grand Central Station about 8:35 a. m., and which train service had been provided for Ossining passengers by defendant during a long period of years; and

Whereas, The train service so discontinued from Ossining to New York city, which was used by a very large percentage of the total number of New York city commuters residing at Ossining, enabled such commuter passengers to reach their places of business in New York city at 9:00 o'clock a. m., the morning hour when a large number of such commuters employed in salaried positions must report for duty, while since the dis-

continuance of said train 92 stop at Ossining the said passengers in order to reach their places of business at 9:00 o'clock a. m. have been compelled to take defendant's train No. 108, leaving Ossining at about 7:10 a. m.; and

Whereas, It is apparent to the Commission that said train No. 92, which formerly stopped at Tarrytown as well as at Ossining, could again be stopped for passengers at both Ossining and Tarrytown with a loss of about six minutes in time, making the arriving time at Grand Central or Lexington Avenue terminal, New York city, 8:36 a. m., which time would, if maintained, be satisfactory to the Ossining commuters, and which might be reduced to 8:33 a. m. by omitting the present stop at 125th Street, New York city, if such omission is in the judgment of the defendant proper and just; and

Whereas, Defendant's train No. 85, northbound from New York city at 4:55 p. m., stopping at Ossining, is usually crowded with passengers, while its train No. 99, northbound from New York city at 4:54 p. m., generally has a sufficient number of empty seats to accommodate passengers for Ossining; and it was shown at the hearing herein that said train No. 99 can be stopped at Ossining without serious interference with the service; and

Whereas, In the opinion of the Commission defendant's present morning train service from Ossining to New York city is inadequate, and the discontinuance of service hereinabove stated operates to the wrongful prejudice and disadvantage of New York city passengers residing at Ossining; and the accommodation of northbound passengers from New York city to Ossining would be greatly promoted by the use of said train No. 99 in the carriage of such passengers; it is, upon all the facts and circumstances in this case,

Ordered: That the defendant, The New York Central and Hudson River Railroad Company, be and is hereby required, on or before the 25th day of March, 1908, to stop its southbound train No. 92 on each business day at Ossining for passengers destined to its Grand Central or Lexington Avenue terminal in New York city, with schedule time of arriving at said terminal not later than 8:36 a. m., and to also stop said train for like passengers at Tarrytown; or to provide some other service for the transportation of passengers on each business day leaving Ossining not earlier than 7:30 a. m., stopping also at Tarrytown, and arriving at said terminal in New York city not later than 8:36 a. m.

It is further Ordered: That the defendant, The New York Central and Hudson River Railroad Company, be and is hereby required, on or before the 25th day of March, 1908, to transport on each business day passengers from its Grand Central or Lexington Avenue terminal in New York city destined to Ossining upon its northbound train No. 99 leaving said terminal at 4:54 p. m. and stopping at Ossining.

It is further Ordered: That this order shall remain in effect until modified, superseded, or vacated by further order of the Commission.

[Case No. 193]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
 At a session of the Public Service Commission, Second
 District, held at the Capitol, Albany, on the 19th
 day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
 CHARLES H. KEEP,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 Commissioners.

In the matter of the Complaint of RESIDENTS OF
 NORTHERN NEW YORK BY VASCO P. ABBOTT *against*
 THE NEW YORK CENTRAL AND HUDSON RIVER RAIL-
 ROAD COMPANY.

Resolved, That the matter of the complaint of residents of Northern New York by Vasco P. Abbott against The New York Central and Hudson River Railroad Company, be closed upon the records of the Commission, complainants now advising that service in effect is satisfactory.

[Case No. 197]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
 At a session of the Public Service Commission, Second
 District, held at the Capitol, Albany, on the 19th
 day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
 CHARLES H. KEEP,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 Commissioners.

In the matter of the Complaints of J. WILLIAM
 O'BRIEN, SCHUYLER BEATTIE, AND RESIDENTS OF SAN-
 BORN *against* THE NEW YORK CENTRAL AND HUDSON
 RIVER RAILROAD COMPANY.

Whereas, Commissioners Stevens and Keep did on the 5th day of March, at Niagara Falls, hear the complaint of O'Brien and Beattie and of residents of Sanborn against The New York Central and Hudson River Railroad Company in relation to the inadequate passenger train service between Lockport and Niagara Falls, and did at the conclusion of said hearing orally direct and order the respondent to increase its passenger train service between said cities by running two additional trains, one each way, in the morning of each day, on substantially the time of the trains theretofore run between said cities but taken off on or about the 17th day of January, 1908; and

Whereas, Said respondent has complied with said order and restored the said trains to service and is now operating the same pursuant to said direction; now

Resolved, That the said order and direction so made and given by the said Commissioners be and the same is hereby approved, and that the said The New York Central and Hudson River Railroad Company be and it is hereby directed to continue the operation of said trains so restored until the further order of the Commission; that the said company having restored said trains to service pursuant to said oral direction, this resolution shall be treated and considered as the formal order for the same.

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[Case No. 161]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 30th
day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of CHARLES J. TOBIN,
for residents of Selkirk, RAVENA, Wemple, and Glen-
mont, *against* THE NEW YORK CENTRAL AND HUDSON
RIVER RAILROAD, LESSEE WEST SHORE RAILROAD.

After due deliberation, it is

Ordered: That the matter of this complaint be closed, the complainant
having informed the Commission that the cause of complaint has been removed.

[Case No. 249]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 30th
day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaints of RESIDENTS OF
HOWELLS, OTISVILLE, and PORT JERVIS, Orange county,
against EBIE RAILROAD COMPANY.

After due deliberation, it is

Ordered: 1. That the matter of these complaints be closed, complainants
having informed this Commission at a public hearing in the matter held in
the city of Port Jervis on March 12, 1908, that the complaints have been
settled.

Ordered: 2. That this order is without prejudice to the institution by
these complainants in the future of similar proceedings.

[Case No. 251]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 30th
day of March, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of RAQUETTE FOUNDRY
AND SUPPLY COMPANY of Massena, N. Y., *against*
AMERICAN EXPRESS COMPANY.

After due deliberation, it is

Ordered: That the complaint in the above entitled matter be closed, the
complainant advising this Commission that the local agent of said American
Express Company has received orders to extend the desired service, thus
removing cause of complaint.

[Case No. 232]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of THE GREAT LAKES CONSTRUCTION COMPANY of Buffalo *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

After due deliberation, it is

Ordered: That the complaint in the above entitled matter be closed on the records of this Commission, The New York Central and Hudson River Railroad Company having agreed to put in effect a switching tariff of \$4.50 per car, which the complainant advises is satisfactory.

[Case No. 233]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of THE CANAL QUARRY COMPANY *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

After due deliberation, it is

Ordered: That the complaint in the above entitled matter be closed on the records of this Commission, The New York Central and Hudson River Railroad Company having agreed to put in effect a switching tariff of \$4.50 per car, which the complainant advises is satisfactory.

[Case No. 245]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaints of C. M. SMITH of Perry, N. Y., and C. H. MC LAUGHLIN of Buffalo, N. Y., *against* ERIE RAILROAD COMPANY.

After due deliberation, it is

Ordered: That the complaints in the above entitled matters be closed on the records of this Commission, complainants so requesting.

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[Case No. 291]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 9th day
of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of RESIDENTS OF BUR-
DETT, Schuyler county, *against* LEHIGH VALLEY RAIL-
ROAD COMPANY.

After due deliberation, it is

Ordered: That the complaint in the above entitled matter be closed on
the records of this Commission, George B. Patterson, one of the complainants,
having, in a letter dated April 8, 1908, informed the Commission that the
service at the company's station in Burdett is satisfactory.

[Case No. 81]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 16th day
of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of the TRUSTEES OF THE
VILLAGE OF ADAMS, Jefferson county, N. Y., *against*
THE ADAMS ELECTRIC LIGHT COMPANY (LIMITED), as
to price of electricity for public arc lights and as
to incandescent meter rates.

This complaint, under sections 71 and 72 of the Public Service Commissions Law, was filed with this Commission on August 5, 1907. A copy of the complaint was served upon the company, and public hearings in the matter were held in the village of Adams on August 28, 1907, and February 22, 1908; J. F. La Rue and State & Waite appeared for the trustees of the village of Adams; Thomas Woods appeared for The Adams Electric Light Company (Limited). Upon consideration of the evidence in this matter, and after due deliberation, and for the reasons stated in the opinion of Commissioner Sague, it is

Ordered: That this complaint is hereby dismissed.

[Case No. 138]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of December, 1907.

Present:

FRANK W. STEVENS, Chairman,
CHARLES H. KEEP,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the failure of the **NEW YORK AND PORT CHESTER RAILROAD COMPANY** to proceed with the construction of its railroad; and in the matter of the refusal of said company to make report to this Commission as required by law.

After due consideration, it is

Ordered: That the New York and Port Chester Railroad Company be directed to show cause before this Commission, at its office in Albany on the 13th day of January, 1908, why it is not exercising the rights and franchises conferred upon it to construct a line in Westchester county, and give explanation why it neglects and refuses to make report to this Commission as required by law, and that at the same time it make a full and verified statement of its affairs and condition. That an order be entered accordingly, and served in the manner prescribed by law upon said company.

[This case was closed April 16, 1908.]

[Case No. 301]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of the **ROCK CUT STONE COMPANY** of Syracuse against **THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY.**

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, satisfactory adjustment having been made.

[Case No. 315]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Physical Condition and Operation of the Rochester, Charlotte and Manitou Railroad.

It having appeared from the reports of the inspector of electric railroads in the service of this Commission that the Rochester, Charlotte and Manitou

railroad, which extends from Charlotte to Manitou Beach, and its equipment, was in unsafe condition; and public hearings in this matter having been held in the city of Buffalo on the 9th day of April, 1908, and in the city of Rochester on the 18th day of April, 1908, at which hearings the Rochester, Charlotte and Manitou Railroad Company and residents along the line of said railroad were represented; and it appearing at said hearings that the said railroad can not be safely operated without extensive repairs to the road, and the application of air or power brakes to the cars of said company, and that there is imperative need of the early operation of said railroad for the accommodation of residents along the line of said railroad and the general public; and the said Rochester, Charlotte and Manitou Railroad Company having formally consented to entry of the following order herein:

It is Ordered: That the Rochester, Charlotte and Manitou Railroad Company be and is hereby directed and required to immediately commence the work of putting the roadbed, rails, and appliances of that portion of its railroad extending from Charlotte to Braddock's Bay in proper condition for safe operation, and to complete the said work within thirty days from the date of this order, such work to be subject to the approval of this Commission.

It is further Ordered: That the Rochester, Charlotte and Manitou Railroad Company shall immediately begin the reconstruction or thorough repair of the trestle upon its line called and known as the Braddock's Bay trestle, and to complete said reconstruction or thorough repair of said trestle so that the same shall be in proper condition for safe operation of cars thereover within seventy-five days from the date of this order, such work to be subject to the approval of this Commission.

It is further Ordered: That the Rochester, Charlotte and Manitou Railroad Company shall equip each of its cars with an effective power brake, such equipment with power brakes to be completed to the satisfaction of this Commission within forty-five days from the date of this order.

And it is further Ordered: That the Rochester, Charlotte and Manitou Railroad Company shall have leave at any time during the periods hereinabove specified to apply by petition and show that for causes beyond its control it is entitled to an extension of time within which to comply with any of the foregoing provisions of this order; a copy of such petition to be previously served by the company upon each of the attorneys for residents along its line appearing of record in this proceeding.

[See Case No. 315, July 7, 1908, page 170; and Case No. 439, August 19, 1908, page 148.]

[Case No. 145]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of ADAM BERNHARD
against THE NEW YORK CENTRAL AND HUDSON RIVER
RAILROAD COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, the matters complained of having been finally and amicably adjusted by the acknowledgment of the title of the railroad company to the land in dispute, and the execution of a lease by The New York Central and Hudson River Railroad Company to complainant.

[Case No. 152]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
 At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of April, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
 Commissioners.

In the matter of the Complaint of the **HIGHWAY COMMISSIONERS OF THE TOWN OF BUSTI**, Chautauqua county, *against* **NYPANO RAILROAD COMPANY**.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, in view of a letter to this Commission from the attorney for complainants dated April 21, 1908, stating that a satisfactory adjustment has been arrived at between the town authorities and the railroad company.

[Case No. 230]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
 At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 5th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
 Commissioners.

In the matter of the Complaint of **RESIDENTS OF THE TOWN OF SHERIDAN**, Chautauqua county, *against* **PENNSYLVANIA RAILROAD COMPANY**.

This complaint having been received and filed here; a copy of the same having been forwarded to said Pennsylvania Railroad Company, which answered; and a public hearing thereon having been held by Commissioners Stevens and Olmsted of this Commission in the city of Buffalo on April 30, 1908; now, after due deliberation, it is

Ordered: That the Pennsylvania Railroad Company make its Sheridan station, in the town of Sheridan, county of Chautauqua, N. Y., a signal or flag station for its southbound train known as No. 62, and its northbound train known as No. 61, upon its Chautauqua division; that said trains stop at said station upon flag or signal given in the usual manner according to the rules of said company for its flag or signal stations, to receive all passengers who may desire to enter either of said trains, and that said trains stop at said station to discharge all passengers who may wish to leave either of said trains thereat; that the said company give instructions to its conductors and other employees, necessary and proper to carry out this order, and upon all new issues of its time-tables showing the movements of said trains indicate that Sheridan is a flag or signal station for the same; that this order shall take effect Monday, May 11, 1908, and shall continue in force so long as said trains No. 61 and No. 62 are operated by said company upon said division, unless earlier modified or abrogated by this Commission; that said company notify this Commission on or before Saturday, May 9, 1908, whether the terms of this order are accepted by it and will be obeyed.

[See Case No. 230, June 11, 1908, page 415.]

[Case No. 326]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
JOHN B. OLMPSTED,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of Requiring the VILLAGE OF SPRINGVILLE to provide and keep in and upon the premises of its municipal lighting plant certain suitable apparatus for testing electric meters furnished by said village to its customers.

On reading and filing the report of C. F. Hunter, chief inspector of electric meters of this Commission, dated March 3, 1908, wherein it appears that the municipal lighting plant of the village of Springville, county of Erie, State of New York, is not provided with suitable apparatus for proving the accuracy of electric meters installed on its system, pursuant to the requirements of section 67 of chapter 429, laws of 1907; and the letter of this Commission by its Secretary, dated March 6, 1908, addressed to said municipal lighting plant, wherein the Commission, pursuant to the powers vested in it by said act, recommended the purchase of suitable apparatus, to consist of one 60 cycle, 110-220 volt, portable, rotating standard test meter, one indicating wattmeter, and one stop watch, and requested said municipal lighting plant to advise the Commission of its reasons, if any, why it should not comply with said recommendation; and the further letters of this Commission, by its Secretary, to said municipal lighting plant, dated respectively March 28, 1908, April 15, 1908, and April 22, 1908, in reminder of the aforesaid recommendation, certified copies of which letters and each of them being hereto attached; and it appearing that said municipal lighting plant has not replied or made answer to said letters or any of them, it is

Ordered: That the trustees of said village of Springville show cause before this Commission, at its rooms in the Capitol, city of Albany, county of Albany, State of New York, on the 12th day of May, 1908, at 2 o'clock in the afternoon of that day, or as soon thereafter as counsel may be heard, why the aforesaid recommendation of the Commission as made the 6th day of March, 1908, should not be complied with, and the apparatus therein recommended as suitable and proper for use by said municipal lighting plant should not forthwith be provided by said village and kept in and upon the premises of the municipal lighting plant for use in testing the meters furnished to its customers.

Service hereof, and of the annexed papers, if made by mail on or before the 9th day of May, 1908, shall be sufficient.

[Case No. 327]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
JOHN B. OLMPSTED,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of Requiring the SALEM LIGHT, HEAT AND POWER COMPANY to provide and keep in and upon its premises certain suitable apparatus for testing electric meters furnished by said company to its customers.

On reading and filing the report of C. F. Hunter, chief inspector of electric meters of this Commission, dated March 19, 1908, wherein it appears that the Salem Light, Heat and Power Company, village of Salem, Washington county, State of New York, is not provided with suitable apparatus for proving the accuracy of electric meters installed on its system, pursuant to the requirements of section 67 of chapter 429, laws of 1907; and the letter of this Commission, by its Secretary, dated March 23, 1908, addressed to said company, wherein the Commission, pursuant to the powers vested in it by said act, recommended the purchase of suitable apparatus, to consist of one 60 cycle, 110 volt, portable, rotating standard test meter of standard manufacture, and requested said company to advise the Commission of its reasons, if any, why it should not comply with said recommendation; and the further letters of this Commission, by its Secretary, to said company, dated respectively April 15, 1908, and April 22, 1908, in reminder of the aforesaid recommendation, certified copies of which letters and each of them being hereto attached; and it appearing that said company has not replied or made answer to said letters or any of them, it is

Ordered: That the said Salem Light, Heat and Power Company show cause before this Commission, at its rooms in the Capitol, city of Albany, county of Albany, State of New York, on the 12th day of May, 1908, at 2 o'clock in the afternoon of that day, or as soon thereafter as counsel may be heard, why the aforesaid recommendation of the Commission as made the 23rd day of March, 1908, should not be complied with, and the apparatus therein recommended as suitable and proper for use by said Company should not forthwith be provided by said Company and kept in and upon its premises for use in testing the meters furnished to its customers.

Service hereof, and of the annexed papers, if made by mail on or before the 9th day of May, 1908, shall be sufficient.

[See Case No. 327, May 13, 1908, page 411.]

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[Case No. 328]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
JOHN B. OLMFSTED,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of Requiring the MORAVIA ELECTRIC LIGHT, HEAT AND POWER COMPANY to provide and keep in and upon its premises certain suitable apparatus for testing electric meters furnished by said company to its customers.

On reading and filing the report of C. F. Hunter, chief inspector of electric meters of this Commission, dated March 3, 1908, wherein it appears that the Moravia Electric Light, Heat and Power Company, village of Moravia, county of Cayuga, State of New York, is not provided with suitable apparatus for proving the accuracy of electric meters installed on its system, pursuant to the requirements of section 67 of chapter 429, laws of 1907; and the letter of this Commission, by its Secretary, dated March 5, 1908, addressed to said company, wherein the Commission, pursuant to the powers vested in it by said act, recommended the purchase of suitable apparatus to consist of one 125 cycle, 52-54 volt, portable, rotating standard test meter of standard manufacture, and requested said company to advise the Commission of its reasons, if any, why it should not comply with said recommendation; and the further letters of this Commission, by its Secretary, to said company, dated respectively March 26, 1908, April 6, 1908, April 15, 1908, and April 22, 1908, in reminder of the aforesaid recommendation, certified copies of which letters and each of them being hereto attached; and it appearing that said company has not replied or made answer to said letters or any of them, it is

Ordered: That the said Moravia Electric Light, Heat and Power Company show cause before this Commission, at its rooms in the Capitol, city of Albany, county of Albany, State of New York, on the 12th day of May, 1908, at 2 o'clock in the afternoon of that day, or as soon thereafter as counsel may be heard, why the aforesaid recommendation of the Commission, as made the 5th day of March, 1908, should not be complied with, and the apparatus therein recommended as suitable and proper for use by said company should not forthwith be provided by said company and kept in and upon its premises for use in testing the meters furnished to its customers.

Service hereof, and of the annexed papers, if made by mail on or before the 9th day of May, 1908, shall be sufficient.

[Case No. 8]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of CITIZENS OF ROCK-
LAND COUNTY *against* NEW JERSEY AND NEW YORK
RAILROAD COMPANY and ERIE RAILROAD COMPANY.

This matter having been duly heard and considered, and it appearing to the Commission that the defendant the New Jersey and New York Railroad Company should improve its present facilities for the reception, storage, and delivery of freight at New City, N. Y., by abandoning the use of a freight-car body for that purpose and constructing a suitable addition to its station building sufficiently commodious for the reception, storage, and delivery of its present and prospective freight business in New City; and it further appearing to the Commission that the passenger train schedule of said defendant the New Jersey and New York Railroad Company should be revised, and a revised schedule of passenger trains between such points having been prepared by the Commission and sent to said defendant the New Jersey and New York Railroad Company, with notice that amendments thereto might be proposed by the said defendant on or before April 20, 1908, and the time to propose said amendments having been extended to May 6, 1908, and the said defendant having on said date submitted a new schedule containing certain amendments to the passenger train schedule so prepared by the Commission, with provision for certain trains on Saturday and Sunday of each week; and it further appearing to the Commission that the amended schedule so submitted by said defendant should be approved; now, therefore, due consideration having been had, it is

Ordered: 1. That the defendant the New Jersey and New York Railroad Company be and is hereby directed and required to prepare and within fifteen days from the date hereof submit to this Commission for its approval a plan or plans for an addition to its present station proper at New City, N. Y., which shall be sufficiently large to accommodate its present and prospective house freight business at New City, or for a separate building adjacent to said station sufficient and appropriate for said freight purposes, and that upon the approval of such plan or plans by the Commission the said defendant shall thereupon proceed with the construction of said improvement and addition to its station facilities at New City and complete the same within three months from the date of such approval.

Ordered: 2. That the said defendant the New Jersey and New York Railroad Company be and is hereby directed and required to establish and on or before the 31st day of May, 1908, put in force on its line between New City and Nanuet the following passenger train schedule:

PUBLIC SERVICE COMMISSION, SECOND DISTRICT

EAST—NEW CITY TO NANUET.

	Daily except Sunday and holiday.	Daily except Sunday.	Daily except Sunday and holiday.				
Depart: New City.....	a. m. 6.25	a. m. 7.16	a. m. 10.09	a. m. 11.54	p. m. 3.59	p. m. 5.26	p. m. 6.34
Arrive: Nanuet.....	a. m. 6.39	a. m. 7.30	a. m. 10.23	p. m. 12.08	p. m. 4.13	p. m. 5.40	p. m. 6.47
Arrive: New York.....	a. m. 8.22	a. m. 8.45	p. m. 12.62	p. m. 1.32	p. m. 5.52	p. m. 7.07	p. m. 9.07

WEST—NANUET TO NEW CITY.

	Daily except Sunday and holiday.	Daily except Sunday.	Daily except Saturday and Sunday.	Daily except Saturday and Sunday.	Daily except Sunday.	Daily except Saturday and Sunday.	Daily except Saturday and Sunday and holiday.
Depart: New York.....	a. m. 7.08	a. m. 9.00	p. m. 12.30	p. m. 3.23	p. m. 4.38	p. m. 5.15	p. m. 6.38
Arrive: Nanuet.....	a. m. 6.44	a. m. 8.48	p. m. 2.08	p. m. 3.01	p. m. 6.08	p. m. 6.52	p. m. 8.15
Arrive: New City.....	a. m. 6.58	a. m. 9.02	p. m. 2.23	p. m. 3.14	p. m. 6.22	p. m. 7.06	p. m. 8.29

SUNDAYS ONLY.

	East—New City to Nanuet.	West—Nanuet to New City.
Depart: New City.....	a. m. 8.12	a. m. 8.45
Arrive: Nanuet.....	a. m. 8.26	p. m. 5.45
Arrive: New York.....	a. m. 10.07	p. m. 6.00
	p. m. 1.37	p. m. 7.52
	p. m. 6.07	p. m. 10.39
		a. m. 8.45
		a. m. 10.25
		a. m. 3.36
		p. m. 4.35
		p. m. 7.50
		p. m. 4.50
		p. m. 8.04

Ordered: 3. That this order shall remain in effect until modified, superseded, or vacated by the Commission upon its own motion or upon application by any party herein or any person interested.

[Case No. 325]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of M. F. SIMMONS of Schenectady *against* SCHENECTADY RAILWAY COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, complainant advising that the railway company has taken the necessary steps to relieve the situation complained of.

[Case No. 147]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of RESIDENTS OF WATERTOWN, GLEN PARK, AND BROWNVILLE *against* the BLACK RIVER TRACTION COMPANY as to rate of fare and service rendered the public.

This case having been duly heard at the city of Watertown, N. Y., on the 12th day of February, 1908, and due investigation having been had, and it appearing to the Commission that the action of the defendant in establishing by tariff effective November 1, 1907, a fare of ten cents for the transportation of each passenger from Watertown to Glen Park, and from Glen Park to Watertown, thereby discontinuing the fare of five cents per passenger between said points which was previously in force, was unreasonable and unjust, and that the said fare of ten cents between said points is now unreasonable and unjust and in violation of the Public Service Commissions Law, it is

Ordered: That the defendant, the Black River Traction Company, be and is hereby directed and required to cease and desist from charging its present established fare of ten cents per passenger from Watertown to Glen Park, and from Glen Park to Watertown, and to establish and put in force on or before the 1st day of June, 1908, a rate of fare for the transportation of passengers from any point on its line in the city of Watertown to a point on its line opposite the postoffice in the village of Glen Park and any point intermediate thereto, and from a point on its line opposite the postoffice in the village of Glen Park to any point on its line in the city of Watertown and any point intermediate thereto, which shall not exceed the sum of five cents per passenger; and that the rate of fare hereby ordered may be made

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effective by said defendant by supplement to its present tariff upon three days' previous notice to the public and the Commission in the manner prescribed by law.

And it is further Ordered: That the maximum fare prescribed by this order shall remain in effect for a period of at least three years, that is to say, until June 1, 1911, except as the same may be modified, superseded, or vacated by order of the Commission; and leave is hereby granted to the defendant or any person interested to apply by petition for such order at any time.

[Case No. 247]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 12th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of Improvements and Additions to the
Railway of the PORT JERVIS ELECTRIC LIGHT, POWER,
GAS AND RAILROAD COMPANY.

On the 18th day of October, 1907, the Commission's inspector of electric railways made a report to the Commission upon the operation of the railway line and equipment of the Port Jervis Electric Light, Power, Gas and Railroad Company, concluding as follows:

"The track of this road, with the exception of several short sections, is in very poor condition, the rail badly worn, joints low and loose, alignment poor.

"The cars are in poor condition.

"The equipment old and worn.

"Cars are not properly maintained; are not clean, and need painting.

"The whole system, including track, roadbed, and equipment, is such that the safety, comfort, and convenience of passengers require that the track and roadbed be immediately reconstructed, and that new and proper equipment be procured.

"In its present condition the operating expenses are far in excess of what they should be, and unless the above suggestions are complied with, the operation of this road must necessarily cease, from financial considerations if for no other reason."

A preliminary hearing was held in the city of Port Jervis, N. Y., on the 12th day of March, 1908, based upon such report and upon the informal complaint of the Port Jervis Board of Health alleging failure on the part of the company to properly heat its cars in cold weather; and further hearings were held in this matter at the office of the Commission in Albany on the 7th day of April and 5th day of May, 1908, at which hearings the financial affairs of the company, and the physical condition of the road, appliances, and equipment were the subjects of inquiry.

Now, after full consideration and deliberation, it is, in the opinion of the Commission, the duty of the said Port Jervis Electric Light, Power, Gas and Railroad Company to promptly undertake the repairs and reconstruction of its line, and changes, improvements, and additions to its equipment necessary to bring its service to the public up to a reasonable standard of efficiency in the respects of safe, adequate, and proper operation of the road; and it is thereupon

Ordered: That the respondent, the Port Jervis Electric Light, Power, Gas and Railroad Company, be and is hereby directed and required to put its railroad line, through repair or reconstruction, in good condition for operation, and repair or replace its equipment and power appliances to such extent that the safety, comfort, and convenience of passengers upon its line will be reasonably secured; that such repairs, changes, improvements, and additions shall

be completed, subject to the approval of the Commission, within three months from the date of this order; and that to this end the said respondent shall, within twenty days from the date hereof, present to the Commission for its examination and approval, plans and specifications for such repairs, changes, and improvements as it deems adequate to meet the requirements of this order; that upon receiving such plans and specifications the Commission will make its final order specifying the repairs, changes, and improvements which are required; and it is further

Ordered: That the respondent, the Port Jervis Electric Light, Power, Gas and Railroad Company, shall have leave to apply to the Commission from time to time for modification or amendment of this order, or for such direction as may be necessary.

[See Case No. 247, June 10, 1908, page 414.]

[Case No. 257]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of RESIDENTS OF VER-
PLANCK, N. Y., against PEEKSKILL LIGHTING AND
RAILROAD COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, with the understanding that the case can be opened on re-application at any time.

[Case No. 327]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of May, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of Requiring the SALEM LIGHT, HEAT
AND POWER COMPANY to provide and keep in and
upon its premises certain suitable apparatus for test-
ing electric meters furnished by said company to its
customers.

Whereas, At a session of this Commission held in the city and county of Albany, State of New York, on the 6th day of May, 1908, an order was entered in the above entitled matter directing the Salem Light, Heat and Power Company to show cause before the Commission at its rooms in the Capitol, in the said city of Albany, on the 12th day of May, 1908, at 2 o'clock in the afternoon of that day, why the recommendation of the Commission as made the 23rd day of March, 1908, should not be complied with,

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and the apparatus therein recommended as suitable and proper for use by said company in testing the electric meters furnished by it to its customers should not forthwith be provided and kept in and upon its premises for that purpose; and on reading and filing the admission of due service of said order, and upon the return day thereof the order having come on regularly to be heard on the calendar, and the said company by its officers or attorney having failed to appear, and due deliberation having been had thereon, it is

Ordered: That the said Salem Light, Heat and Power Company be and is hereby required to provide or keep in and upon its premises, on or before the 1st day of August, 1908, a suitable and proper apparatus, to wit: one sixty (60) cycle, one hundred ten (110) volt, portable, rotating standard test meter of standard manufacture, to be approved and stamped or marked by the Commission, for testing and proving the accuracy of electric meters furnished for use by it.

[See Case No. 327, May 6, 1908, page 405.]

[Case No. 58]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of BUFFALO PARAGON
WALL PLASTER COMPANY *against* THE NEW YORK
CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, attorneys for the complainant advising that final satisfactory settlement has been made in the matter.

[Case No. 150]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of DIAMOND COAL COMPANY of Cobleskill, N. Y., *against* THE DELAWARE AND HUDSON COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, complainant having advised that a switch has been built by the company as agreed upon between the parties.

[Case No. 225]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 3rd day
of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of JAMESVILLE RESER-
VOIR ICE COMPANY *against* THE NEW YORK CENTRAL
AND HUDSON RIVER RAILROAD COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, it being stated at the public hearing held by Commissioner
Decker at Syracuse May 16, 1908, that arrangements have been made to
install a private siding, which satisfied the complainant.

[Case No. 240]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 3rd day
of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of RESIDENTS OF
SPRING VALLEY, MONSEY, and TALLMAN, Rockland
county, *against* ERIE RAILROAD COMPANY and NEW
JERSEY AND NEW YORK RAILROAD COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, complainants advising that matters have been satisfactorily
arranged to meet the accommodations of the residents of the villages in
question.

[Case No. 246]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 3rd day
of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of BRAND & FINNEY
against THE DELAWARE AND HUDSON COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, satisfactory rates having been made on shipments.

414 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 269]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 3rd day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of the HIGHWAY COMMISSIONERS OF THE TOWN OF HARMONY, Chautauqua county, against THE CHAUTAUQUA TRACTION COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, complainants' attorney advising that satisfactory disposition has been made of the matters alleged in the complaint.

[Case No. 319]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 9th day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Complaint of WILLIAM C. SHIELDS and JOHN J. SHIELDS, composing the firm of SHIELDS BROS., of Bombay, N. Y., against the CANADIAN EXPRESS COMPANY and the AMERICAN EXPRESS COMPANY.

After due deliberation, it is

Ordered: That this complaint be and it is hereby dismissed, complainants consenting thereto.

[Case No. 247]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of Improvements and Additions to the Railway of the PORT JERVIS ELECTRIC LIGHT, POWER, GAS AND RAILROAD COMPANY.

In the above entitled matter, after due deliberation, it is

Ordered: That the plans submitted June 2, 1908, by the Port Jervis Electric Light, Power, Gas and Railroad Company for repair and reconstruction of the railroad of said Port Jervis Electric Light, Power, Gas and Railroad

Company be and the same are hereby approved; the estimates of cost for such repair and reconstruction not having been considered, and no opinion thereon now being expressed.

[See Case No. 247, May 12, 1908, page 411.]

[Case No. 230]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 11th day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE TOWN OF SHERIDAN, Chautauqua county, *against* PENNSYLVANIA RAILROAD COMPANY.

After due deliberation, it is

Ordered: That in the above entitled matter the order of this Commission dated May 5, 1908, requiring trains Nos. 61 and 62 to stop on flag at Sheridan station on said company's railroad in the town of Sheridan, Chautauqua county, be and it is hereby suspended during the time that trains Nos. 83 and 84 are run and scheduled to stop on flag at said station.

[See Case No. 230, May 5, 1908, page 403.]

[Case No. 374]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23d day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of Requiring THE RED HOOK LIGHT AND POWER COMPANY to provide and keep in and upon its premises certain suitable apparatus for testing electric meters.

On reading and filing the report of Charles F. Hunter, chief inspector of electric meters of this Commission, dated March 23, 1908, wherein it appears that The Red Hook Light and Power Company, village of Red Hook, county of Dutchess, State of New York, is not provided with suitable apparatus for proving the accuracy of electric meters installed on its system, pursuant to the requirements of section 67, chapter 429, laws of 1907; and the letter of this Commission by its Secretary dated March 24, 1908, addressed to said company, wherein the Commission, pursuant to the powers vested in it by said act, recommended the purchase of certain apparatus, to consist of a lamp bank or other loading device for obtaining various loads for checking the portable instruments provided by said company; and requested said company to advise the Commission of its reasons, if any, why it should not comply with said recommendation; and the further letters of this Commission by its

Secretary to said company dated respectively April 15, 1908, April 23, 1908, May 6, 1908, May 25, 1908, and June 4, 1908, in reminder of the aforesaid recommendation, certified copies of which letters and each of them being hereto attached; and it appearing that said company has not replied or made answer to said letters or any of them, it is

Ordered: That said The Red Hook Light and Power Company show cause before this Commission, at its rooms in the Capitol, city of Albany, county of Albany, State of New York, on the 6th day of July, 1908, at 2 o'clock in the afternoon of that day, or as soon thereafter as counsel may be heard, why the aforesaid recommendation of the Commission as made the 24th day of March, 1908, should not be complied with, and the apparatus therein recommended as suitable and proper for use by said company should not forthwith be provided by said company and kept in and upon its premises for use in obtaining various loads for checking the portable standards provided by said company.

Service hereof if made by mail on or before the 3d day of July, 1908, shall be sufficient.

[Case No. 383]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of June, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF STEAM-BURG, Cattaraugus Co., N. Y., against ERIE RAILROAD COMPANY as to passenger-train service.

The above mentioned complaint having been received and filed:

Ordered: 1. That a copy of the same be forwarded to said Erie Railroad Company, and that the matters complained of be satisfied by said company or that the charges therein be answered in writing within five days from the service of a certified copy of this order upon said company.

Ordered: 2. That if the complaint be not thus satisfied, the said railroad company shall file its original answer and a copy thereof with the Secretary of the Commission, at Albany, who shall serve by mail a copy of the answer upon a representative of complainants.

[Service adjusted to satisfaction of complainants and case closed August 19, 1908, by resolution.]

[Case No. 355]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, State of New York, held at the Capitol in the city of Albany on the 6th day of July, 1908, at 2 p. m.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of MAY R. DESILVA,
Griffin Corners, Delaware county, New York, *against*
THE CATSKILL MOUNTAIN GAS COMPANY.

Upon reading the petition of May R. DeSilva, the complainant herein, verified the 20th day of May, 1908, and the exhibits and affidavits attached thereto and filed therewith with the Public Service Commission, Second District, on the 21st day of May, 1908; the answer of The Catskill Mountain Gas Company and affidavits thereto attached heretofore filed herein on the 1st day of June, 1908; the agreement of settlement herein, dated the 1st day of June, 1908, signed by the parties, a copy whereof has been filed herein; the affidavit of Orville F. Ballard, president of The Catskill Mountain Gas Company, verified the 27th day of June, 1908, together with the report of F. Tobey, jr., dated the same day, attached to said affidavit and filed with said affidavit herein with the Public Service Commission, Second District, on the 29th day of June, 1908; the proceedings had and the evidence taken herein on the 6th day of July, 1908, the said complainant appearing herein by *Eugene E. Howe, esq.*, of Griffin Corners, New York, her attorney; and *Charles H. Vermilya, Joel L. Keator, John E. Scudder, Orville F. Ballard, and Augustus H. Todd*, all of the directors of The Catskill Mountain Gas Company, appearing in person; and *George A. Fisher, esq.*, of Delhi, New York, appearing as attorney for Augustus H. Todd; it appearing to our satisfaction that the matters in difference between the parties herein were settled and adjusted in writing by the agreement of the parties dated June 1, 1908, and that the said May R. DeSilva in pursuance of said agreement has already constructed and laid down the gas main from the east end of the gas main in Main street, Griffin Corners, Delaware county, New York, at a point in front of Hotel Washington, along said Main street to the house service pipe to Hotel Manhattan, as she was required to do under said contract, and that said service pipe has withheld the required pressure test, and that the complainant May R. DeSilva is entitled to a gas supply for Hotel Manhattan; and that said gas corporation and Augustus H. Todd, superintendent of The Catskill Mountain Gas Company, has refused and continues to refuse to furnish gas service by said gas main to Hotel Manhattan, now occupied by Mr. Joseph Fishgrund as tenant; after hearing all of the parties, due deliberation being had, now on motion of *Eugene E. Howe, esq.*, attorney for complainant May R. DeSilva, it is

Ordered: 1. That The Catskill Mountain Gas Company of Griffin Corners, New York, is hereby ordered and directed to make the necessary connection of the gas main in front of Hotel Washington in Main street, Griffin Corners, New York, with the gas main constructed by May R. DeSilva for said gas corporation under the contract of June 1, 1908, and to supply gas to Hotel Manhattan, Griffin Corners, N. Y., for at least sixty-five burners, a majority of which may be one-half foot burners, and some one foot burners, at the regular rates, and as gas is regularly supplied to other patrons of said gas corporation.

Ordered: 2. That said The Catskill Mountain Gas Company shall make the necessary connection of the gas main as aforesaid and supply gas to said Hotel Manhattan within twenty-four (24) hours after personal service of a

certified copy of this order upon Orville F. Ballard, president, and Augustus H. Todd, a director, secretary, and superintendent of said company.

Ordered: 3. That said The Catskill Mountain Gas Company, its officers, agents, and employees, are hereby directed and required to obey and observe this order and each and every part thereof so long as the same shall be and remain in force.

[Case No. 162]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the matter of the Complaint of MIDDLETOWN COUNCIL
No. 326, UNITED COMMERCIAL TRAVELERS OF AMERICA,
against ERIE RAILROAD COMPANY, as to passenger
train service on the Delaware division of said com-
pany's railroad.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, the restoration of trains Nos. 29 and 30 on said division
removing the cause of complaint.

[Case No. 187]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF PENN
YAN, BRANCHPORT, and BLUFF POINT *against* PENN
YAN, KEUKA PARK AND BRANCHPORT RAILWAY COM-
PANY as to service rendered the public.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, with the privilege to complainants of reopening the com-
plaint at any time.

[Case No. 209]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT. .
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF DE-
POSIT, HANCOCK, LONG EDDY, HANKINS, CALICOON,
COCHECTON, and NARROWSBURG *against* ERIE RAIL-
ROAD COMPANY, as to passenger train service on the
Delaware division of said company's railroad.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this
Commission, attorney for complainants advising that the restoration to
service of trains Nos. 29 and 30 on said division satisfactorily disposes of
the cause of complaint.

[Case No. 221]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT. .
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the Matter of the Complaint of the VILLAGE OF LAN-
CASTER *against* ERIE RAILROAD COMPANY, as to train
service and station accommodations.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, the attorney for the village advising that the construction
of a new station at Lancaster has been commenced.

420 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 243]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of NEWFANE BASKET MANUFACTURING COMPANY AND OTHERS *against* INTERNATIONAL RAILWAY COMPANY, as to freight rates and interchange of cars.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, the question of the justness and reasonableness of rates having been decided to the satisfaction of the complainants by new tariffs, which have been filed. The question of interchange of cars between the International Railway Company and The New York Central and Hudson River Railroad Company should be made the subject of a separate complaint, if a cause for complaint still exists.

[Case No. 267]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of KNOWLES BROS. of Lockport *against* INTERNATIONAL RAILWAY COMPANY, as to freight rates and interchange of cars.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, the question of the justness and reasonableness of rates having been decided to the satisfaction of the complainants by new tariffs, which have been filed. The question of interchange of cars between the International Railway Company and The New York Central and Hudson River Railroad Company should be made the subject of a separate complaint, if a cause for complaint still exists.

[Case No. 299]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of the CITY OF
ROCHESTER *against* AMERICAN EXPRESS COMPANY,
NATIONAL EXPRESS COMPANY, UNITED STATES EX-
PRESS COMPANY, WELLS FARGO AND COMPANY, ADAMS
EXPRESS COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint relative to deliveries in the city parks of Rochester be closed on the records of this Commission, a letter from W. W. Webb, corporation counsel, stating that an entirely satisfactory arrangement has been made and proceedings can be dropped, having been filed with this Commission.

[Case No. 305]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE
TOWN OF NEW SCOTLAND, Albany county, *against*
THE DELAWARE AND HUDSON COMPANY as to pas-
senger train service.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, the attorney for complainants advising that owing to change of time-table of the West Shore Railroad (lessor), it is not possible to secure the train connections sought in the original complaint.

422 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 334]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE.
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of HOMER D. CALL of
Syracuse *against* AMERICAN EXPRESS COMPANY,
NATIONAL EXPRESS COMPANY, UNITED STATES EX-
PRESS COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint, for alleged failure to pick
up and deliver express packages, be closed on the records of this Commission,
complainant advising that the express companies have agreed to cover the
territory in question in a manner satisfactory to him.

[Case No. 364]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of LOUIS F. BORCHARD
of Buffalo, N. Y., *against* THE DELAWARE, LACKA-
WANNA AND WESTERN RAILROAD COMPANY; THE NEW
YORK CENTRAL AND HUDSON RIVER RAILROAD COM-
PANY, WEST SHORE RAILROAD COMPANY, PENNSYL-
VANIA RAILROAD COMPANY; BUFFALO, ROCHESTER AND
PITTSBURGH RAILWAY COMPANY; EBIE RAILROAD
COMPANY, and BUFFALO AND SUSQUEHANNA RAILROAD
COMPANY, as to freight rates on milk and cream.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, the railroad companies in question having restored rates
satisfactory to the complainant.

[Case No. 151]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 8th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLMSTED,
 Commissioners.

In the matter of the Complaints of J. B. TROY and
*F. G. EVERETT against LEHIGH VALLEY RAILROAD
 COMPANY.*

Complaints having been filed herein on the 27th day of November, 1907, and the matters involved having been heard by the Commission at its office in Albany on the 9th day of March, 1908, and the evidence and briefs of counsel having been duly considered, it is

Ordered: That the complaints herein be and the same are hereby dismissed, but that the case so far as it involves the provision of adequate baggage service from the defendant's station at Ithaca be and the same is hereby continued as an investigation by the Commission upon its own motion, under the title of "In the matter of the delivery of incoming baggage from the station of the Lehigh Valley Railroad Company at Ithaca, N. Y."

[See Case No. 151, October 14, 1908, page 444.]

[Case No. 398]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, State of New York, held at the Capitol in the city of Albany on the 10th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 Commissioners.

In the matter of Requiring the DELHI ELECTRIC COMPANY of the village of Delhi, county of Delaware, to make certain improvements and to maintain and operate its property for the security of the public.

On reading and filing the report of Charles F. Hunter, chief inspector of electric meters of this Commission, dated July 9, 1908, a certified copy of which is hereto attached, wherein it appears that the property of the Delhi Electric Company, to wit: the electric generating station, and poles and lines erected, owned, and maintained and used by said company in and over the streets, highways, and public places in the village of Delhi, county of Delaware, for the purpose of furnishing or transmitting electricity for light, heat, or power, are in a condition of disrepair and insecurity and dangerous to life, limb, and property, in that the poles and brackets are decayed and not properly guyed, the arc suspension wires rusted and ropes old, wires insecure, the insulation on wires rotted off in parts, the arc lamps suspended at insufficient height above the ground; and also that there is an absence of necessary circuit interrupting and protective devices at the generating station of said company; it is

Ordered: That the said Delhi Electric Company show cause before this Commission, at its rooms in the Capitol, city of Albany, county of Albany, State of New York, on the 16th day of July, 1908, at 2 o'clock in the afternoon of that day, or as soon thereafter as counsel may be heard, why the Commission should not order said company to make such improvements to its works, wires, poles, lines, and system maintained in connection therewith, as will place same in a safe and secure condition, and as will best promote the public interests, preserve the public health and security, and protect those employed by said company in the generation and distribution of electricity, and why this Commission should not order such other and further relief in the premises as may be deemed necessary and proper.

Service hereof, and of the annexed papers, if made by mail on or before the 13th day of July, 1908, shall be sufficient.

[Case No. 68]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 21st day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint dated January 9, 1908, of JOHN DORT of Oramel, N. Y., *against PENNSYLVANIA RAILROAD COMPANY* as to station.

After due deliberation, it is

Ordered: That this complaint be closed on the records of this Commission, the matters alleged in the original complaint having been remedied by the railroad company in accordance with the directions of the Commission.

[Case No. 366]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

Petition of the MARCELLUS AND OTISCO LAKE RAILWAY COMPANY, under chapter 493 of the laws of 1908, for approval of the use of locomotive steam power in the operation of its railway.

The Marcellus and Otisco Lake Railway Company having on June 13, 1908, filed with this Commission its petition, under chapter 493 of the laws of 1908, for approval of the use of locomotive steam power in the operation of its railway; and a hearing on said petition, after public notice and notice to municipal authorities and others, having been held by this Commission at its office in the Capitol, Albany, on July 8, 1908; and proof of consents of property owners and local authorities to the operation of said railway

by locomotive steam power having been filed with this Commission; now, after hearing *Howard R. Bayne* for the petitioner, and no one appearing in opposition, and after due deliberation, it is

Ordered: That under chapter 493 of the laws of 1908, said petition be and it is hereby granted, and this Commission hereby approves of the use of locomotive steam power as motive power upon the railroad of the Marcellus and Otisco Lake Railway Company, as now constructed, upon the following conditions, which are hereby made a part of this order: 1. That this approval of the use of locomotive steam power as motive power upon said company's railway is but a terminable license, which may be revoked at any time by the Commission with or without notice to said company; 2. That no steam locomotive engine with a driving-wheel base of over 7 feet 6 inches, a weight on driving wheels exceeding 37 tons, and a total weight exceeding 55 tons, shall be used; 3. That the speed shall not exceed the following; (a) north of Marcellus, 10 miles per hour; (b) south of Marcellus, 15 miles per hour; (c) at Coleman's crossing, Marcellus Falls, 6 miles per hour; (d) at curve at paper mill, south of Marcellus Falls, 6 miles per hour.

And it is further Ordered: That this order shall become effective only upon the said company filing with this Commission a certified copy of a resolution of its board of directors accepting the conditions herein expressed.

[Case No. 252]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Complaint of ELIAS P. MANN,
MAYOR OF THE CITY OF TROY, against UNITED TRACTION COMPANY, relative to operation of its Oakwood Avenue line in the city of Troy.

Honorable Elias P. Mann, as mayor of the city of Troy, having on February 28, 1908, filed with this Commission a complaint against the United Traction Company, operating a street railroad in said city, in relation to the operation of passenger cars by said company on its Oakwood Avenue line in said city; and said company having filed with this Commission its answer thereto; and a hearing in the matter having been held by this Commission at its office in the Capitol, Albany, on May 5, 1908, *George B. Wellington, esq.*, appearing for the complainant, and *Barrett R. Wellington, esq.*, appearing for certain residents along said Oakwood Avenue line in support of the complaint, and *Lucius E. Carr* and *J. E. MacLean* appearing for the United Traction Company; now, after hearing evidence and reading and filing briefs of counsel, and upon due deliberation, it is

Ordered: That said United Traction Company be and it is hereby directed to furnish on its Oakwood Avenue line in Troy, N. Y., a passenger car service, as follows: *On week days:* A fifteen-minute service, beginning at the Union Station and running northward at least to Frear avenue, and as far northward beyond that point as may be found practicable without increasing the number of cars now in use on said line, viz., two; the first car to leave Union Station at 6:15 a. m., and the last car to leave Union Station at 12 midnight; except that between the hours of 9 a. m. and 11:40 a. m., and between the hours of 2:10 p. m. and 5:10 p. m., the service shall be a twenty-minute

service, and the cars shall run from Union Station to St. Peter's cemetery, the end of the line, on the twenty-minute schedule only. *On Sundays:* The service to be a twenty-minute service from 6:15 a. m. to 12 midnight, beginning at Union Station and running through to St. Peter's cemetery, the end of the line. It is further

Ordered: That this order shall take effect on August 10, 1908, and shall continue in force until modified or abrogated by this Commission.

[Case No. 336]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 30th day of July, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of EDWARD O. FOOTE
and FLOYD BROOKS of Sherburne Four Corners
against NEW YORK, ONTARIO AND WESTERN RAILWAY
COMPANY.

The above named complainants having on May 16, 1908, filed with this Commission a complaint against New York, Ontario and Western Railway Company, as to passenger train service at Sherburne Four Corners, and said company having filed with this Commission its answer; and a hearing in the matter having been held by Commissioner Olmsted of this Commission in the village of Sherburne on July 9, 1908, *Fuller & Truesdell* appearing for complainants, and *John B. Kerr* and *Howard F. Newton* appearing for the New York, Ontario and Western Railway Company; and the company having stipulated on the hearing that it would stop on signal train number 2, being the southbound train which passes Sherburne Four Corners about 10:30 a. m.; and having further stipulated that it would stop train number 1, being the northbound train which passes Sherburne Four Corners about 4:45 p. m., for any passengers from points south of Sidney on the line of the New York, Ontario and Western railway; and having further stipulated that it would make an arrangement with the owner of the store in which the present passenger station is now located to keep the same open as a station, with the usual conveniences to the public of a station; it is

Ordered: That said New York, Ontario and Western Railway Company be and it is hereby directed to stop train number 2 on signal at Sherburne Four Corners, and to stop train number 1 at Sherburne Four Corners to let off any passengers on said train from points south of Sidney; and said New York, Ontario and Western Railway Company is hereby directed to make an arrangement with the owner or proprietor of the store adjoining the railroad lands in Sherburne Four Corners where the postoffice and present station are now located, which shall give to the public the usual facilities and privileges of a railroad station at that point, to wit: that the store shall be open for the accommodation of passengers at any time when passenger trains are due at Sherburne Four Corners, and that the store shall remain open to accommodate passengers when trains are late, that proper seating facilities shall be provided in the store, and that passengers shall go there as a matter of right and not on sufferance; but this shall not be construed to mean that tickets shall be sold at the station.

It is further Ordered: That the prayer of the petition, that train number 1 northbound shall stop regularly or on signal at Sherburne Four Corners, be and it is hereby denied.

It is further Ordered: That this order shall take effect upon the service of a certified copy thereof upon said New York, Ontario and Western Railway Company, and shall continue in force until modified or abrogated by this Commission.

[Case No. 100]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 3d day
of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of WILLIAM T. GRIDLEY
AND OTHERS *against* WESTCHESTER LIGHTING COMPANY, the respondent.

After due deliberation, it is

Ordered: That in the above entitled matter the Westchester Lighting Company be and it is hereby directed to answer the annexed interrogatories in writing on or before the 20th instant, such answers to be verified by the oath of an officer of respondent, and a copy of the answers to be served on the attorney for complainant at the time the original is filed with the Commission; that in case the respondent is unable to answer any of said interrogatories in whole or in part, such inability shall be stated affirmatively, with the reason why the desired information can not be furnished.

[Answers to interrogatories filed with the Commission, and case pending.]

[Case No. 280]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 5th day
of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Complaint of RESIDENTS IN THE VICINITY OF CRITTENDEN, Erie county, *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to need of additional help at Crittenden station.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, complainants' attorney advising that the company has put an additional man to work at this station.

428 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 250]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 19th
day of August, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
Commissioners.

In the matter of the Complaint of BRYN MAWR PARK
IMPROVEMENT ASSOCIATION of Yonkers *against* THE
NEW YORK CENTRAL AND HUDSON RIVER RAILROAD
COMPANY, New York and Putnam division, as to pas-
senger train service.

That portion of the complaint in the above entitled proceeding relating to passenger train service between New York city and Bryn Mawr Park and other points upon the New York and Putnam division of The New York Central and Hudson River Railroad Company having been duly heard and submitted; and the defendant having, after conference with representatives of complainants and with the Commission, established on June 14, 1908, a schedule greatly improving the passenger train service between said points; and it appearing to the Commission that such passenger train service as now rendered by defendant is satisfactory to practically all of the complainants; it is

Ordered: That the passenger train service established by defendant June 14, 1908, between New York city and points on its New York and Putnam division be and is hereby deemed to constitute satisfaction of so much of the complaint as relates to passenger train service upon said division, and that the defendant, The New York Central and Hudson River Railroad Company, be and is hereby directed and required to continue the train service so established by the schedule of June 14, 1908, until the further order of this Commission; provided, however, that the defendant may increase the number of trains or the number of stops for existing trains upon said division at any time, and that defendant may also apply for modification of this order at any time.

[See Case No. 250, October 20, 1908, page 446.]

[Case No. 219]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF WELLS-
VILLE *against* ERIE RAILROAD COMPANY, as to
dangerous condition at the crossing at grade in said
village of Farnum street and said company's rail-
road; and as to lack of water closets at the station
of said company in said village.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, complainants advising that the cause of the complaint has
been adjusted.

APPENDIX K: ORDERS

429

[Case No. 222]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF
*BARNARD against THE NEW YORK CENTRAL AND HU-
DSON RIVER RAILROAD COMPANY*, as to discontinuance
of passenger train service on the Charlotte branch
of said company's railroad.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, complainants advising that the present passenger service
is entirely satisfactory.

[Case No. 239]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of MOHAWK GAS COM-
PANY OF SCHENECTADY *against THE NEW YORK CEN-
TRAL AND HUDSON RIVER RAILROAD COMPANY and
THE DELAWARE AND HUDSON COMPANY*.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, the attorney for the complainant advising that it will be
satisfactory to close the complaint, reserving to complainant the right to
file a new complaint in the future if found necessary to do so.

[Case No. 400]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of the TOWN OF CARROLL
*against WARREN AND JAMESTOWN STREET RAILWAY
COMPANY.*

Hearings in the above entitled matter upon the complaint and answer
therein were had before Commissioner Stevens at Jamestown on the 15th

and 22nd days of August, 1908, *E. Green, esq.*, appearing for the town of Carroll, and *George T. Armstrong, esq.*, for the respondent. Upon the final hearing it was stipulated by both parties that this Commission should make and enter an order containing the provisions and requirements hereinafter set forth. Pursuant to the terms of said stipulation, which is approved by the Commission, it is

Ordered: That the respondent, the Warren and Jamestown Street Railway Company, restore Institute street, in the village of Frewsburg and town of Carroll, on the east side of the right of way of the Dunkirk, Allegheny Valley and Pittsburgh railroad, to a proper and safe condition for use as a public highway in the following manner: 1. It shall construct a fence along the top of the embankment or slope separating the portion of the highway used by the respondent from the portion used as a public team track, said fence to be placed eighteen feet north from the fence now standing within the highway and southerly from said public team track, and to extend east along Institute street a distance of about three hundred and eighteen feet; 2. Said fence shall be constructed in the following manner: The posts shall be substantial wooden posts and shall be placed eight feet apart from center to center; the posts shall support iron pipe or boards, at the option of the respondent; if iron pipe is used, it shall be constructed with two runs of two-inch pipe: the top run to be four feet from the general surface of the ground and the lower run to be twenty inches below the top run; pipe to be properly painted or coated to prevent rust; if boards are used, they shall be of good timber, each board six inches in width, $\frac{3}{8}$ of an inch thick, with three runs properly spaced, the top of the top run being four feet from the general surface of the ground; 3. The respondent shall grade, in proper and suitable form for a wagon road or track, the surface east of the railroad and south of the fence to be constructed, and as far east as may be necessary, not extending however beyond the east end of the fence; the town to remove the fence on the south now standing within the bounds of the highway; 4. The respondent shall care for the slope or embankment as far east as the fourth rail joint in its track as now laid east of the bridge, being a distance of approximately one hundred and thirty feet, by making such construction with stone riprap work or by post and timber work as its engineer shall deem best suited for the purpose, which purpose is permanently to prevent the slope or embankment from caving or sliding.

It is further Ordered: That the said work shall be commenced within thirty days from the date of this order and prosecuted to completion with all reasonable dispatch, and when the fence and embankment work are completed they shall be perpetually maintained by the said Warren and Jamestown Street Railway Company.

It is further Ordered: That if the work herein directed shall at any time prove inadequate or unsatisfactory to the proper authorities of the town of Carroll, they shall be at liberty to apply for a modification of this order, to the end that the respondent may be required to keep the highway at said place in a safe and proper condition so far as the existence of its road may make the same unsafe or unsuitable for public travel.

[Case No. 450]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
of September, 1908.**

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Complaint of J. HOLLENBECK AND
OTHERS *against* ERIE RAILROAD COMPANY as to ob-
struction of the Ashville Avenue crossing in James-
town by locomotive engines.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, arrangements having been made for the proper operation
of locomotive engines over Ashville avenue.

[Case No. 458]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st day
of September, 1908.**

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Complaint of the BOARD OF EDU-
CATION OF THE VILLAGE OF CANDOR, Tioga county,
against EUREKA GAS COMPANY.

After due deliberation, it is

Ordered: That the report of H. C. Hazzard, chief of the division of light,
heat, and power, upon the complaint of the Board of Education of the Village
of Candor against the Eureka Gas Company of Candor, Tioga county, be
transmitted to said Eureka Gas Company; and that the said company be
and it is hereby directed and required to show cause before this Commission,
at its hearing room in the Capitol at Albany on the 14th day of September,
1908, at 2 o'clock in the afternoon, why an order should not be made requiring
it to comply with the recommendations made in said report to install new
apparatus as therein set forth.

432 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 279]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 14th
day of September, 1908.**

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

**In the matter of the Complaint of RESIDENTS OF CEN-
TRAL PARK, DEER PARK, WYANDANCH, FARMINGDALE,
HICKSVILLE, and BRENTWOOD *against* THE LONG
ISLAND RAILROAD COMPANY.**

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, complainants advising that by reason of the adoption of
a new schedule over its lines the railroad company has removed the cause
of complaint.

[Case No. 384]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 14th
day of September, 1908.**

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

**In the matter of the Complaint of WILLIAM T. CLARK,
G. M. HOLMES, and LEWIS H. MITCHELL of Hailesboro
against THE NEW YORK CENTRAL AND HUDSON RIVER
RAILROAD COMPANY as to an agent not being em-
ployed at the Hailesboro station, St. Lawrence county.**

After due deliberation, it is

Ordered: That this complaint be dismissed, an inspector of this Commis-
sion having reported under date of August 25, 1908, that the railroad company
has provided for the proper care of the station in accordance with the
promise made by the company's representatives at the hearing on July 13,
1908.

[Case No. 410]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBOURNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of the SOLVAY PROCESS COMPANY *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to freight rate on crushed stone and cinders from Solvay, N. Y., to Syracuse, N. Y.

After due deliberation, it is

Ordered: That the application filed September 10, 1908, of the complainant in this matter, for leave to withdraw this complaint, be and it is hereby granted.

[Case No. 427]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBOURNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of ROBERT S. FOWLER AND OTHERS *against* THE ULSTER AND DELAWARE RAILROAD COMPANY, as to passenger-train service between Kingston and Mount Pleasant and intermediate stations.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, attorney for complainants advising that a satisfactory agreement has been reached with the railroad company.

434 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Cases No. 333, 376, 377.]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE
CITY OF ITHACA against ITHACA STREET RAILWAY
COMPANY.

Whereas, In the report of the inspector of this Commission dated November 15, 1907, the following suggestions were made for the improvement of the physical condition, equipment, and methods of operation:

1. The painting of several of the bridges;
2. That a number of the bridges should be examined by a bridge expert and a copy of his report submitted to this Commission;
3. That the main line be double tracked from the Lehigh Valley depot to corner of Eddy and State streets;
4. That all cars operated on State street line should be double-truck and equipped with air brakes;
5. That the forty-five pound rail on the Campus and through Cornell Heights be replaced by a heavier rail;
6. That a manually operated block-signal system be installed protecting the section of track between the junction of State street line and Huestis street, and the Eddy street siding at the junction of Eddy and State streets.

And Whereas, A copy of this report was sent to the company and the suggestions have not been complied with so far as this Commission is informed; therefore be it

Resolved, That the Ithaca Street Railway Company should be required to show cause, at the office of this Commission at Albany on the 28th day of September, 1908, at 2 o'clock in the afternoon, why this Commission should not issue the following orders:

1. That all cars operated on the grades above Tioga street be equipped with some braking system in addition to the hand brake now in use on such cars. Such additional braking system to be approved by this Commission. This order to be complied with before December 1, 1908.
2. That after May 1, 1909, no single-truck car shall be operated on the grades above Tioga street. The class of cars to replace the single-truck cars to be approved by this Commission.
3. That the closed cars operated on this company's system shall be equipped with full vestibules with side doors. The vestibuling of cars to be completed before December 1, 1908.
4. That all of the forty-five pound rails in the track on the curves through the Campus and Cornell Heights be replaced by sixty-pound rails. This work to be completed not later than December 1, 1908.
5. That a manually operated block-signal system be installed protecting the East Ithaca cars on the section of track on the State Street line over which they are operated; also at the junction of Stewart avenue and State street, and at the junction of State street and Eddy street. The plan for and the location of these signals to be approved by this Commission. This work to be completed not later than December 1, 1908.
6. That not later than December 1, 1908, a ten-minute headway service be installed in each direction around the loop through the Campus and Cornell Heights.
7. That a man be employed sanding the track on the heavy grades on State street at all hours during which cars are operated.

8. That the State Street line be equipped with a telephone system, with telephones at all turnouts connected with the superintendent's office. This system to be completed before December 1, 1908.

9. That when necessary to prevent the overloading of cars on the East Ithaca line, two cars should be run.

[Case No. 478]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of drilling stay bolts of fireboxes of locomotive engines of THE LONG ISLAND RAILROAD COMPANY.

After due deliberation, it is

Ordered: That The Long Island Railroad Company be granted an extension of time for drilling stay bolts for 31 locomotives built in 1905 and 1906, until said locomotives are required to be shopped for heavy firebox work; it having been shown by the report of Inspector Robinson that The Long Island Railroad Company is using sufficient care in the inspection of its boilers to justify this exemption, under the regulations of this Commission.

[Case No. 486]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of drilling stay bolts of fireboxes of locomotive engines of THE LONG ISLAND RAILROAD COMPANY.

After due deliberation, it is

Ordered: That The Long Island Railroad Company be granted an extension of time for drilling telltale holes in the stay bolts of locomotives Nos. 160, 161, 162, 165, 166, 167, and 170, until said locomotives are required to be shopped for heavy firebox work; it having been shown by the report of Inspector Robinson that The Long Island Railroad Company is using sufficient care in the inspection of its boilers to justify this exemption, under the regulations of this Commission.

[Case No. 16]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 24th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Petition of FREDERICK W. BAUER
for the revocation of a certificate of public convenience and a necessity granted February 5, 1903,
to the Rockland Railroad Company.

After due deliberation, it is

Ordered: That the petition of Frederick W. Bauer for leave to discontinue his application for revocation of the certificate of public convenience and a necessity to the Rockland Railroad Company be granted, and that said proceeding be dismissed in accordance with such petition.

[Case No. 166]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 28th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of FREMONT WILSON
against THE YONKERS RAILROAD COMPANY, and LESLIE
SUTHERLAND, RECEIVER OF SAID COMPANY.

Fremont Wilson of Yonkers, N. Y., having filed with this Commission a complaint against The Yonkers Railroad Company alleging, among other things, that the passenger cars on said company's railroad are not properly equipped with braking apparatus; and a copy of the complaint having been sent to the company, and its answer received; and a public hearing on said complaint having been held in the city of Yonkers, at which complainant, the city, and respondent company were represented; and a receiver of said company's property thereafter having been appointed and been made a party to this proceeding, and having answered this complaint; and inspections of the passenger cars operated on said railroad, and reports in relation thereto, having been made by the electrical expert of this Commission; now, upon the aforesaid complaint, answers, reports, and evidence at the hearing, and after due deliberation, it is

Ordered: That all cars operated in passenger service on the lines of The Yonkers Railroad Company which are not now so equipped shall be equipped with air brakes, and that Leslie Sutherland, receiver of said company, shall begin forthwith the work of placing air brakes upon all such passenger cars; and that from the date of this order not less than five cars per month shall be so equipped with air brakes; that said receiver shall immediately submit to this Commission, for approval, plans showing the kind of air

brake with which he proposes to equip the said cars in compliance with this order.

[See Case No. 126, March 17, 1908, page 394; Case No. 378, July 8, 1908, page 173; Case No. 378, July 13, 1908, page 174; Case No. 378, September 1, 1908, page 180; and Case No. 167, September 29, 1908, page 438.]

[Case No. 281]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 28th
day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE
VILLAGE OF CLYDE AND THE TOWN OF GALEN, Wayne
county, against THE NEW YORK CENTRAL AND HU-
DSON RIVER RAILROAD COMPANY, LESSEE WEST SHORE
RAILROAD, as to construction and operation of a gate
at the Hemingway crossing.

After due consideration, it is

Ordered: That the matter of this complaint be closed on the records
of this Commission, the directions of the Commission as to maintenance
of a flagman and removal of the crossing bell to a proper location having
been complied with.

[Case No. 73]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 29th
day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of ARTHUR W. EVANS
against THE NEW YORK CENTRAL AND HUDSON RIVER
RAILROAD COMPANY.

Arthur W. Evans of Corning, N. Y., having on July 19, 1907, filed with
this Commission a complaint against The New York Central and Hudson
River Railroad Company, alleging "That prior hereto and at the present
time the said New York Central & Hudson River Railroad Company in
violation of law have reduced the train crews of the freight trains of service
upon said Division (Pennsylvania division) of said New York Central and
Hudson River Railroad Company by taking off one man and the present
crews on trains running out of Corning in the direction of Lyons, wholly
within the State of New York consists of five men made up as follows:—
Engineer, fireman, conductor, flagman, and brakeman. That the said brakeman
is obliged in addition to his regular service of braking on train to
shovel coal on engine and do other services. That said trains are not

properly equipped with sufficient number of men to run and control said trains, and the work required of the brakeman and other employees on said freight and coal trains is more than the said employees are capable of doing proficiently, and the running of said trains so equipped without sufficient men to properly control and do the work required on the said train is in violation of the interest of public policy and in the interests of the men employed on said trains endangering the lives of said men and other fellow servants as well as the public in general"; and praying this Commission to "take such action as may be necessary to compel the said New York Central & Hudson River Railroad Company to properly equip and man their said trains"; and said company having answered said complaint; and hearings on said complaint having been held by this Commission in the city of Albany on November 12, 1907, and March 2, 1908, the complainant appearing in person, and *Ira A. Place* appearing for said company; now, upon the aforesaid complaint and answer and the evidence at the hearings, and after due deliberation, it is

Ordered: 1. That The New York Central and Hudson River Railroad Company be and is hereby ordered to run its general freight trains on its Pennsylvania division between Dresden and Lyons with a crew of not less than six men (namely: conductor, engineer and fireman, flagman, and two brakemen), which is the regular equipment now used by that company for its general freight trains on that division between Corning and Dresden.

Ordered: 2. That this order shall take effect on Saturday, October 24, 1908, and shall continue in force until modified or abrogated by this Commission.

October 21, 1908; above order modified by extending time it shall take effect to Monday, November 2, 1908.

October 21, 1908; above order modified by extending time it shall take effect to Tuesday, December 1, 1908.

[See Case No. 73, December 9, 1908, page 468.]

[Case No. 167]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of Complaints in relation to the inclosing
or vestibuling of the platforms of street railroad cars
in the county of Westchester.

There having been filed with this Commission complaints by the common council of the city of Yonkers, and others, alleging that all cars operated on street railroads in Westchester county are not, but should be, provided with inclosures or vestibules fully inclosing the platforms of said cars; and public hearings on said complaints having been held by this Commission in the city of New York, at which the city of Yonkers, the Peekskill Lighting and Railroad Company, the Hudson River and Eastern Traction Company, the receiver of The Yonkers Railroad Company, the New York and Stamford Railway Company, the receiver of The Westchester Electric Railway Company, the receiver of the Tarrytown, White Plains and Mamaroneck Railway Company, the Central Trust Company, Fremont Wilson, one of the complainants, and the Amalgamated Association of Street and Electric Railway Employees,

one of the complainants, were represented; and inspections of the cars operated on the railroads above named, and reports in relation thereto, having been made by the electrical expert of this Commission; and it appearing that the platforms of cars now operated on the Peekskill Lighting and Railroad Company's railroad and the Hudson River and Eastern Traction Company's railroad are completely inclosed or vestibuled; now, upon the aforesaid complaints, reports, and evidence at the hearings, and after reading and filing briefs of counsel, and after due deliberation, it is

Ordered: That the platforms of all cars operated upon the Yonkers railroad, the New York and Stamford railway, the Westchester Electric railroad, and the Tarrytown, White Plains and Mamaroneck railway, shall be, on or before January 1, 1908, completely inclosed or vestibuled by inclosures of iron, wood, and glass, with doors therein to allow of entering or leaving the platforms so inclosed or vestibuled. And it is further

Ordered: That a certified copy of this order be served upon The Yonkers Railroad Company, and Leslie Sutherland, receiver of said The Yonkers Railroad Company; the New York and Stamford Railway Company; The Westchester Electric Railroad Company, and J. Addison Young, receiver of said The Westchester Electric Railroad Company; the Tarrytown, White Plains and Mamaroneck Railway Company, and J. Addison Young, receiver of said Tarrytown, White Plains and Mamaroneck Railway Company.

[See Case No. 166, September 28, 1908, page 436; Case No. 167, December 7, 1908, page 466; Case No. 167, December 23, 1908, page 471.]

[Case No. 369]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of the NITRO POWDER COMPANY of Kingston, N. Y., *against* NEW YORK, ONTARIO AND WESTERN RAILWAY COMPANY, and CENTRAL NEW ENGLAND RAILWAY COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, complainant advising that a satisfactory arrangement has been made with the railroad companies.

440 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 494]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of a request of the Forest, Fish, and Game Commissioner to this Commission as to the setting of fires by sparks from locomotive engines.

Whereas, The Forest, Fish, and Game Commissioner has served upon this Commission the following request, to wit:

STATE OF NEW YORK,
FOREST, FISH, AND GAME COMMISSION,
ALBANY, September 29, 1908.

TO THE HONORABLE, THE PUBLIC SERVICE COMMISSION, SECOND DISTRICT,
ALBANY, N. Y.:

Gentlemen: Based upon the following statement of facts, the request is made to your honorable body and hereto attached for an order compelling a change of fuel on railroads.

A careful survey of the conditions which have existed for the past forty days along all the lines of railroads running through the Forest Preserve shows that upwards of four hundred fires have been started upon the right of way and immediately adjacent to the right of way of these railroads.

I consider it a conservative estimate that 90 per cent. of the fires started in the Forest Preserve are started by sparks from the railroad locomotives.

Even a casual observer passing over the railroads in the Forest Preserve will observe that almost the entire surface of the right of way has been burned over in spots, thus showing with absolute certainty that small fires running into the thousands in number have been set.

This Department has taken the most diligent precaution and has exercised the utmost diligence to prevent these fires. It has stationed patrols three miles apart along the line of every railroad in the Adirondack region, and these patrols have followed every train until they came to the next man, thus making a complete circuit which is patrolled immediately after the passage of every train; and these patrols have extinguished thousands of incipient fires.

Inspectors have examined the fire boxes and smoke stacks of every engine on every railroad running into the Forest Preserve, and so far as they have been able to observe the utmost diligence has been exercised on the part of the railroad companies in equipping their engines with the most approved apparatus for the prevention of fires.

All these precautions and all this diligence has gone for practically nothing and will continue to go for nothing until some strict regulations are made which will absolutely prevent the burning of coal for fuel during the seasons of the year when there is danger of fire, and this Department, as a representative of the interests of the State in that locality, respectfully and very urgently requests that your Honorable Commission give this matter your attention without further delay.

Very truly yours,
J. S. WHIPPLE,
Commissioner.

and

Whereas, Section 72, chapter 130 of the laws of 1908, the act for the protection of the forests, fish, and game of this State, provides, among other things, as follows:

The Public Service Commission must, upon the request of the Forest, Fish and Game Commissioner, and on notice to the railroad company or companies affected, require any railroad company having a railroad running through the forest lands in counties containing parts of the Forest Preserve, to adopt such devices and precautions against setting fire upon its line in such forest lands as the public interest requires;

and

Whereas, The following named railroad companies, to wit: The New York Central and Hudson River Railroad Company, The Delaware and Hudson Company, Carthage and Copenhagen Railroad Company, Glenfield and Western

Railroad Company, The Lowville and Beaver River Railroad Company, Fonda, Johnstown and Gloversville Railroad Company, The Ulster and Delaware Railroad Company, Erie Railroad Company, New York, Ontario and Western Railway Company, Delaware and Eastern Railroad Company, Catskill Mountain Railway Company, Catskill and Tannersville Railway Company, Cranberry Lake Railroad Company, Rutland Railroad Company, Adirondack and St. Lawrence Railroad Company, Paul Smith's Electric Light, Power and Railroad Company, Lake Champlain and Moriah Railroad Company, and Keeseville, Ausable Chasm and Lake Champlain Railroad Company, are operating railroads running through forest lands in counties containing parts of the Forest Preserve; now, therefore, it is

Ordered: That a hearing upon the subject matter of the said request be and it is hereby appointed to be held at the hearing room of this Commission in the Capitol in the city of Albany on the 12th day of October, 1908, at 2 o'clock in the afternoon, and that the following named railroad companies, to wit: The New York Central and Hudson River Railroad Company, The Delaware and Hudson Company, Carthage and Copenhagen Railroad Company, Glenfield and Western Railroad Company, The Lowville and Beaver River Railroad Company, Fonda, Johnstown and Gloversville Railroad Company, The Ulster and Delaware Railroad Company, Erie Railroad Company, New York, Ontario and Western Railway Company, Delaware and Eastern Railroad Company, Catskill Mountain Railway Company, Catskill and Tannersville Railway Company, Cranberry Lake Railroad Company, Rutland Railroad Company, Adirondack and St. Lawrence Railroad Company, Paul Smith's Electric Light, Power and Railroad Company, Lake Champlain and Moriah Railroad Company, and Keeseville, Ausable Chasm and Lake Champlain Railroad Company, are and each of them is hereby directed and required to be and appear at said hearing and show what devices and precautions are now used and employed by them against setting fires upon their respective lines in such forest lands; and also to show cause why they and each of them should not either use some fuel upon their locomotive engines which will not give out sparks and set fires, or why their motive power should not be changed to some other than steam.

[Case No. 507]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of September, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Facilities afforded by the Syracuse, Lake Shore and Northern Railroad Company at the State Fair Grounds in the city of Syracuse.

Whereas, The report of the chief of the division of traffic of this Commission dated the 22nd day of September, 1908, tends to show that the facilities afforded by the Syracuse, Lake Shore and Northern Railroad Company at the State Fair Grounds in the city of Syracuse were inadequate and insufficient during the state fair, and that such facilities should be improved and enlarged before the holding of another state fair; now, therefore, it is

Ordered: That a copy of such report be served upon the Syracuse, Lake Shore and Northern Railroad Company, and said company is hereby directed and required to show cause at a hearing to be held at the hearing room of the Commission in the Capitol at Albany on the 12th day of October,

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1908, at 2 o'clock in the afternoon, why it should not enlarge and rearrange its terminal facilities and accommodations for receiving and discharging passengers at or near the State Fair Grounds in the city of Syracuse, and why it should not afford more frequent service with cars of greater capacity during the holding of the state fair.

[Case No. 464]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 6th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of RESIDENTS OF WRIGHT, Washington county, N. Y., *against* THE DELAWARE AND HUDSON COMPANY as to passenger train service at Wright.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, with the understanding that if conditions do not continue satisfactory it may be taken up again at any time.

[Case No. 412]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 7th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of the BOARD OF TRADE OF BATAVIA, N. Y., *against* LEHIGH VALLEY RAILROAD COMPANY as to passenger train service and the stationing of an additional employee at said company's station in Batavia.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, satisfactory adjustment having been made of the matter at the hearing held by this Commission at Rochester on October 1, 1908.

[Case No. 517]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th
day of October, 1908.**

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBOURNE,
JAMES E. SAGUE,
Commissioners.

In the matter of derailing switches in the Syracuse, Lake Shore and Northern railroad at its crossing of the Rome, Watertown and Ogdensburg railroad (leased to and operated by The New York Central and Hudson River Railroad Company) at Noxon street in the city of Syracuse.

After hearing *William Nottingham* for the Syracuse, Lake Shore and Northern Railroad Company, and after due deliberation, it is

Ordered: That the Syracuse, Lake Shore and Northern Railroad Company is hereby directed to operate, during the six months of each year from May to October inclusive, derailing switches in its railroad where said railroad crosses at grade the Rome, Watertown and Ogdensburg railroad (leased to and operated by The New York Central and Hudson River Railroad Company) at Noxon street in the city of Syracuse.

It is further Ordered: That this order shall remain in force until modified or abrogated by this Commission.

[Case No. 461]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 12th
day of October, 1908.**

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of *H. PAULDING* of Huntington, N. Y., against THE LONG ISLAND RAILROAD COMPANY, as to express charges.

H. Paulding of Huntington, N. Y., having on September 5, 1908, filed with this Commission a complaint against The Long Island Railroad Company, alleging unreasonable charges by said company for the shipment by express and return of the empty packages, of cider in bottles, packed in cases, between Huntington and New York city; and The Long Island Railroad Company having filed its answer to said complaint; and a hearing on said complaint having been held by Commissioner Decker of this Commission in the city of New York on September 25, 1908, the complainant appearing in person, and *L. J. Carruthers* appearing for The Long Island Railroad Company; now, after due deliberation, and for the reasons stated in the opinion in this matter by Commissioner Decker, it is

Ordered: That the matter of this complaint be and it is hereby closed on the records of this Commission.

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[Case No. 444]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 13th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE
VILLAGE OF SANDY HILL against THE DELAWARE AND
HUDSON COMPANY as to passenger station.

There having been filed with this Commission on August 17, 1908, a complaint signed by the president and trustees and by residents of the village of Sandy Hill, Washington county, against The Delaware and Hudson Company as to the condition of the passenger station on the steam railroad operated by said company in said village, and asking that this Commission require said company to build a new passenger station; and a copy of the complaint having been sent to the company and its answer received; and hearings on said complaint having been held on September 29 and October 13, 1908, *B. G. Higley* appearing for complainants and *L. E. Carr* appearing for the company; now, upon the aforesaid complaint, answer, and evidence at the hearing October 13th, and after due deliberation, it is

Ordered: 1. That The Delaware and Hudson Company is hereby directed and required to erect a new passenger station in the village of Sandy Hill, Washington county, with suitable and adequate waiting rooms, toilet rooms, baggage room, ticket office, platforms, and canopies for platforms, said station to be constructed as to its walls of some material other than wood.

Ordered: 2. That the said company prepare and submit to this Commission on or before the 20th day of November, 1908, plans drawn to a scale, elevations, and specifications for said passenger station, said plans to show the proposed location and approaches thereto.

Upon receiving said plans, elevations, and specifications the Commission will examine the same, and when the same or other plans, elevations, and specifications are approved, the Commission will then direct the time within which said station shall be constructed, and make such other and further orders as may be proper and necessary.

[Case No. 151]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Delivery of Incoming Baggage
from the Station of the Lehigh Valley Railroad Com-
pany at Ithaca, N. Y.

After due deliberation, it is

Ordered: That in the above entitled matter the report of the chief of the division of traffic be filed, and that upon the showing of present satisfactory

conditions set forth in said report the case be closed upon the records of the Commission, subject to order reopening the investigation if such action shall appear necessary.

[See Case No. 151, July 8, 1908, page 423. Case No. 544 consolidated in the investigation and decision.]

[Case No. 266]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 14th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of CITIZENS COMMITTEE
OF WATERVLIET, N. Y., against UNITED TRACTION
COMPANY.

A citizens committee of Watervliet, Albany county, having on March 19, 1908, filed with this Commission a petition asking the Commission to order the United Traction Company to so readjust its passenger fares between the cities of Watervliet and Albany that a passenger may ride on the cars of said company from any point on Broadway in Watervliet to State street in Albany, and vice versa, upon the payment of five cents instead of ten cents now charged; and the United Traction Company having filed its answer to said complaint; and the common council of the city of Watervliet having joined in said complaint; and hearings thereon having been held by this Commission at the Capitol, Albany, on May 7th and July 6th; James L. Braman appearing for complainants; William G. Van Loon and William B. Jones appearing for the Chamber of Commerce of Albany in support of the complaint; Lewis E. Carr and John E. MacLean appearing for the United Traction Company; now, after hearing arguments and reading briefs of counsel, and for the reasons stated in the opinion in this matter by Commissioner Olmsted, it is

Ordered: That this complaint be and it is hereby dismissed.

[Case No. 459]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 19th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of J. L. SHULTZ AND COMPANY of Skaneateles, N. Y., against SKANEATELES RAILROAD COMPANY as to requirement of prepayment of freight charges upon perishable property.

After due deliberation, it is

Ordered: That the above entitled matter be closed on the records of this Commission, parties to the contest agreeing at public hearing held in Syracuse on September 30, 1908, that matter would be settled between them.

[Case No. 250]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 20th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLTMSTED,
Commissioners.

In the matter of the Complaint of BRYN MAWR PARK IMPROVEMENT ASSOCIATION of Yonkers against THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY, New York and Putnam division, as to passenger train service.

The New York Central and Hudson River Railroad Company having filed a petition for amendment of the order entered herein on the 19th day of August, 1908, and hearing upon said petition having been had at the office of the Public Service Commission for the First District in New York city on the 15th day of October, 1908,

It is Ordered: That the order entered herein on the 19th day of August, 1908, shall not be deemed to have application to the operation of trains between 155th Street, New York city, and points on the Yonkers branch of the New York and Putnam division of defendant's system.

It is further Ordered: That the petition for modification of said order of the 19th day of August, 1908, as applying to stations on the New York and Putnam division of The New York Central and Hudson River Railroad Company, other than the Yonkers branch, be and is hereby granted.

The modifications of said order of the 19th day of August, 1908, hereby granted, are as follows:

The discontinuance of train No. 54 southbound; and change of time of train No. 58 southbound, now leaving Yorktown Heights at 7:50 p. m., to 7:20 p. m., to take the place of train No. 54 from Pocantico Hills to New York; train No. 58 to stop at Bryn Mawr on flag at 8:25 p. m.; no stops now made by either train 54 or train 58 to be omitted.

Pocantico Hills to be the northerly terminus of train No. 35 northbound, and the starting point of train No. 64 southbound.

The discontinuance of operation of trains No. 17 and No. 19 northbound.

A change of time of train No. 5 northbound, now leaving 155th Street at 4:30 p. m., to 4:40 p. m., the same stops to be made in accordance with such changed time.

Train No. 49 northbound to have its northerly terminus at Yorktown Heights instead of Pocantico Hills.

Train No. 51 northbound to have its northerly terminus at Pocantico Hills instead of Yorktown Heights.

Train No. 34 southbound to run from Pocantico Hills instead of Yorktown Heights.

Train No. 44 southbound to run from Yorktown Heights instead of Brewster.

It is further Ordered: That the respondent company shall have leave to vary the schedule at stations, not exceeding ten minutes, for any particular train according as operating conditions or the accommodation of patrons may appear to require; and that any party or person interested may apply for further amendment or modification of said order at any time.

It is further Ordered: That the respondent company, upon submission of its 1909 summer passenger train schedule on its New York and Putnam division and approval thereof by this Commission, may apply for an order abrogating said order of the 19th day of August, 1908, and any order issued in modification or amendment thereof.

[See Case No. 250, August 19, 1908, page 428.]

[Case No. 189]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 21st
day of October, 1908.**

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLMFSTED,
 Commissioners.

In the matter of the Complaint of the BOARD OF MAN-
 AGERS OF THE GOWANDA STATE HOMEOPATHIC Hos-
 PITAL against ERIE RAILROAD COMPANY, as to station
 at Collins, Erie county.

There having been filed with this Commission on December 21, 1907, a complaint by the board of managers of the Gowanda State Homeopathic Hospital against the Erie Railroad Company as to the condition of the station on the railroad operated by said company at Collins, Erie county, and asking this Commission to require said company to build a new station at said point; and said company having answered said complaint; and a hearing on said complaint having been held by this Commission in the city of Buffalo on October 16, 1908; *George E. Spring* appearing for complainants, and *W. L. Marcy* and *J. C. Tucker* appearing for the company; now, upon the aforesaid complaint, answer, and evidence at the hearing, and after due deliberation, it is

Ordered: 1. That the Erie Railroad Company is hereby directed and required to erect a new passenger station at Collins, in the county of Erie, with two suitable and adequate waiting rooms, freight and baggage room, ticket office, and platforms.

Ordered: 2. That the said company prepare and submit to this Commission, on or before the 23rd day of November, 1908, plans drawn to a scale, elevations, and specifications, for said passenger station, said plans to show the proposed location of the station building.

Upon receiving said plans, elevations, and specifications, the Commission will examine the same, and when the same or other plans, elevations, and specifications are approved, the Commission will then direct the time within which said station shall be constructed, and make such other and further orders as may be proper and necessary.

[Case No. 168]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 27th
day of October, 1908.**

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLMFSTED,
 Commissioners.

In the matter of the Complaint of BUFFALO FOUNDRY
 AND MACHINE COMPANY against THE NEW YORK
 CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

The Buffalo Foundry and Machine Company of Buffalo, N. Y., having on December 17, 1907, filed with this Commission a complaint against The New

York Central and Hudson River Railroad Company for charging the alleged unjust and unreasonable sum of fifty cents each car for weighing on the individual track scales of the complainant loaded and empty cars, such scales being located upon the premises of the complainant, with the siding or tracks of the complainant over which all cars to be weighed must pass, located over the said scales, and the weighing of cars involving no additional train movement except the stopping of the car to be weighed over and upon such scales and starting of same after the weighing is complete, and no delay except the time required to weigh the car after it is properly placed upon the scales; and said railroad company having answered said complaint; and hearings having been held in the city of Buffalo on January 24, March 12, and October 9 and 16, 1908, *Crangle & Burke* appearing for complainant, and *Hoyt & Spratt* appearing for The New York Central and Hudson River Railroad Company; now, upon said complaint and answer and the evidence at the hearings, and after due deliberation, it is

Ordered: 1. That the charge of fifty cents for each car, loaded or empty, made by the respondent for such weighing is unjust and unreasonable.

Ordered: 2. That the just and reasonable charge to be hereafter observed and in force as the maximum to be charged by the respondent, The New York Central and Hudson River Railroad Company, for the weighing of cars upon the individual track scales of the complainant, the Buffalo Foundry and Machine Company, where such weighing involves no movement other than the stopping of the engine, car, or train so as to place the car to be weighed properly over and upon the scales, to be there weighed, is the sum of twenty-five cents for each car, loaded or empty.

Ordered: 3. That the respondent shall charge no greater sum than twenty-five cents for such service rendered under like conditions to complainant or others.

Ordered: 4. That the respondent is hereby ordered and directed to amend paragraph 17-b of its joint circular No. 7, and all other circulars, schedules, tariffs, and regulations covering the same matter as said paragraph 17-b, so that the same shall provide as the maximum charge for weighing cars, loaded or empty, for the accommodation of shippers and consignees, the sum of twenty-five cents each car, in cases where such weighing is upon the scales of such shipper and consignee, and involves no car movement other than stopping the car and properly placing it upon the scales and starting after weighing is complete. That such amended schedule be filed and published upon three days' notice.

Ordered: 5. That this order shall be construed to relate only to traffic under the jurisdiction and supervision of this Commission.

Ordered: 6. That this order shall take effect on the 2d day of November, 1908, and continue in force until modified or abrogated by this Commission.

[Case No. 220]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 27th
day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE
VILLAGES OF FRIENDSHIP, BELMONT, and CUBA, Alle-
gany county, *against* ERIE RAILROAD COMPANY, as to
passenger train service.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, the attorney for the petitioners stating that the people of
the villages affected do not wish to press the matter to a hearing at present,
or perhaps not at all if the service continues as at present.

[Case No. 283]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 27th
day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Complaint of the COMMISSIONERS
OF HIGHWAYS OF THE TOWN OF ROMULUS, Seneca
county, *against* LEHIGH VALLEY RAILROAD COMPANY.

After due deliberation, it is

Ordered: That the matter of this complaint, as to need of flagman at
Kendaia crossing, be closed on the records of this Commission, agreeable to
communication received from complainants on October 23, 1908, the matter
having been adjusted in a satisfactory manner.

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[Case No. 467]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Complaint of M. L. GREGORY AND OTHER RESIDENTS OF COLONIE, Albany county, against SCHENECTADY RAILWAY COMPANY, as to stopping point for passenger cars, and as to rate of fare.

M. L. Gregory and other residents of the town of Colonie, Albany county, having on September 13, 1908, filed with this Commission a complaint against the Schenectady Railway Company, asking that this Commission order said company "to make and establish a regular stopping point for its passenger cars at said Mereline avenue, between the aforesaid 'Stop No. 32' and 'Stop No. 33,' for the accommodation of complainants and the public, and make and fix a rate of service therefrom and thereto, to and from points in the city of Albany, of five cents per passenger"; and said company having answered said complaint; and a public hearing on said complaint having been held by this Commission in the Capitol, Albany, on October 20, 1908, Roscoe C. Sanford appearing for complainants, and L. E. Carr and Hubbell Robinson appearing for said company; now, upon the aforesaid complaint and answer, and it satisfactorily appearing from the evidence taken and from a personal inspection by members of this Commission that an additional local stop for the local trains of said railway company is needed and required for the proper accommodation of the public at the junction or crossing of Mereline avenue, in the town of Colonie, and that the just and reasonable maximum rate of fare from such stop to Broadway in the city of Albany, and to all points between said stop and said Broadway, either direction, is the sum of five cents, it is

Ordered: 1. That said Schenectady Railway Company be and it is hereby ordered and required to establish and maintain a new stopping place for all of its local trains or cars at the junction of Mereline avenue, in the town of Colonie, with suitable and convenient walks or approaches from the sidewalk on the southerly side of Albany and Schenectady turnpike, at which all local trains and cars shall stop on signal to receive or discharge passengers. That the just and reasonable maximum rate of fare from said stop to Broadway in the city of Albany, and all intermediate points, either direction, is the sum of five cents, and that the maximum fares to and from said stopping place from and to said Broadway and intermediate points be and they are hereby fixed accordingly. That the said Schenectady Railway Company be and it is hereby directed to file and publish a proper schedule of fares pursuant to section 33 of the Public Service Commissions Law, forthwith, the same to take effect on one day's notice.

Ordered: 2. That this order shall take effect on the 30th day of October, 1908, and shall continue in force until modified or abrogated by this Commission.

Ordered: 3. That said Schenectady Railway Company shall notify this Commission within three days from the service upon it of a certified copy of this order whether the terms of the order are accepted and will be obeyed.

[Case No. 481]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 27th
day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of F. J. MILLENER
against ERIE RAILROAD COMPANY as to alleged ex-
cessive passenger fare charged in the city of
Rochester.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, in accordance with request of complainant dated October
21, 1908.

[Case No. 513]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 27th
day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of R. DARELL JEFFREYS
of Vails Gate, Orange county, *against* ERIE RAILROAD
COMPANY as to operation of passenger trains.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, complainant advising that new service, effective October 26,
1908, satisfactorily removes his cause of complaint.

452 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 520]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 27th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of ERNEST B. DAY of Haynes, Chenango county, against THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY as to lack of station to shelter passengers and non-delivery and receipt of freight in less than carload lots at Haynes.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, the company having agreed to provide a shelter shed with screenings platform and to deliver less carload shipments at that station. Complainant advises that this arrangement satisfactorily disposes of his causes of complaint.

[Case No. 551]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the extension of time to THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY for drilling telltale holes in stay bolts.

After due deliberation, it is

Ordered: That The Delaware, Lackawanna and Western Railroad Company be granted an extension of time for drilling telltale holes in stay bolts which were applied prior to September 1, 1907, until September 1, 1909, it having been shown by the report of Inspector Robinson that The Delaware, Lackawanna and Western Railroad Company is using sufficient care in the inspection of these boilers to justify this exemption, under the regulations of this Commission.

[Case No. 552]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of October, 1908.

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLNSTED,
 Commissioners.

In the matter of the extension of time to THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY for applying hydrostatic test to two hundred and sixty locomotive boilers.

After due deliberation, it is

Ordered: That The Delaware, Lackawanna and Western Railroad Company be granted an extension of time for applying hydrostatic test to two hundred and sixty locomotive boilers which have not received a test for a period exceeding one year, until May 1, 1909, it having been shown by the report of Inspector Robinson that The Delaware, Lackawanna and Western Railroad Company is using sufficient care in the inspection of these boilers to justify this exemption, under the regulations of this Commission.

[Case No. 357]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLNSTED,
 Commissioners.

In the matter of the Complaint of E. M. VOISINET and ALEX. J. ROSS against INTERNATIONAL RAILWAY COMPANY, as to said company not stopping its passenger cars at Buffalo City line, Kenmore avenue.

E. M. Voisinet and Alex. J. Ross having on June 9, 1908, filed with this Commission a complaint against the International Railway Company, asking that said company be required to stop its cars at Buffalo City line, Kenmore avenue; and said company having answered said complaint; and hearings on said complaint having been held by this Commission in the city of Buffalo on August 7 and 14, and October 9, 1908, Charles A. Pooley appearing for complainants, and Morris Cohn appearing for said company; now, upon the aforesaid complaint and answer, and evidence at the hearings, it is

Ordered: 1. That the International Railway Company be and it is hereby directed to stop its northbound and southbound cars to take on or let off passengers, on signal, either at Kenmore avenue in the city of Buffalo, or at a point within two hundred feet north or south of said Kenmore avenue as may be deemed advisable by the said railway company.

Ordered: 2. That this order shall take effect November 18, 1908, and shall continue in force until modified or abrogated by this Commission.

454 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 527]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of WILLIAM P. ALLIS of Cold-Spring-on-Hudson, N. Y., *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to facilities for handling freight at said station.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, in accordance with request from complainant dated November 5, 1908.

[Case No. 528]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of A. M. MCILROY *against* AMERICAN EXPRESS COMPANY and WELLS FARGO AND COMPANY as to rates for shipments from Wilson, N. Y.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, complainant having sent on communication stating that the matter has been adjusted to his satisfaction.

[Case No. 537]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Complaint of B. R. LANSING of Rensselaer, N. Y., against THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to switching charges from Albany to Rensselaer.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, the company having filed new schedule of rates satisfactory to complainant.

[Case No. 564]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of Report to this Commission by THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to passenger revenues at Buffalo.

After due deliberation, it is

Ordered: That The New York Central and Hudson River Railroad Company be and it is hereby required to make report to this Commission on or before November 30, 1908, of the amount of its receipts from sales of passenger tickets, mileage books, and passenger transportation of all kinds at its stations at Exchange street and the Terrace, and its Main Street ticket office, in the city of Buffalo, for the ten years ended September 30, 1908, which report shall show separately:

1. The receipts for each month of said period;
2. The receipts at each station and office;
3. So far as practicable the receipts from sales of (a) regular one-way tickets, (b) return tickets, (c) commutation tickets, (d) excursion tickets, (e) mileage books.

[Case No. 565]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 10th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of Report to this Commission by THE DELAWARE AND HUDSON COMPANY.

Whereas, This Commission did in the form of annual report prescribed by it pursuant to section 46 of the Public Service Commissions Law, require The Delaware and Hudson Company to answer question 1 on page 6 of said report, which question is as follows, to wit:

1. Give the name of the members of the respondent who, on June 30, 1908, had the twenty highest voting powers therein, showing for each his address, the number of votes which he would have had a right to cast on that day had a meeting been in order, such right being determined according to the records of the respondent as of that date, and the par values of securities (if any) held by him in respect of which holding he had such voting power, such securities being classified in stock, second preferred stock, first preferred stock, and other securities; and

Whereas, The said The Delaware and Hudson Company has delivered to this Commission a report upon said form in which it refuses to answer the aforesaid question, assigning as a reason for such refusal that it is not required by law to answer the same in its said annual report, and that such answer would be a disclosure by it of the private affairs of its stockholders, which reason this Commission regards as wholly inadequate; and

Whereas, The returning of said report for correction would delay and embarrass the division of statistics and accounts in its work, and the information required can be obtained as expeditiously in another manner; but without waiving any right to require hereafter an answer to said question as a part of said annual report,

Ordered: That The Delaware and Hudson Company be and it is hereby ordered to file with this Commission on or before the 23rd day of November, 1908, a sworn copy of the stock book kept by it pursuant to section 29 of the Stock Corporation Law, showing the names, alphabetically arranged, of all persons who are stockholders of the said corporation, their places of residence, the number of shares of stock held by them respectively, the time when they respectively became the owners thereof, and the amount paid thereon.

That this order take effect at once, and continue in force until it shall have been fully obeyed.

APPENDIX K: ORDERS

457

[Case No. 566]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 10th
day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of Report to this Commission by THE
NEW YORK CENTRAL AND HUDSON RIVER RAILROAD
COMPANY as to certain employees, agents, and
servants at Buffalo.

After due deliberation, it is

Ordered: That The New York Central and Hudson River Railroad Company be and it is hereby required to make report to this Commission on or before November 30, 1908, of the number of its employees, agents, and servants engaged and employed in and about its passenger station and the yards and tracks used in connection therewith as yards for its passenger service, at Exchange street in the city of Buffalo, for and during the ten years ended September 30, 1908, such report to be for each of said ten years separately, and so far as practicable, to show the maximum and minimum number employed in each year. Said employees to be reported, so far as practicable, in classes such as baggagemen, switch tenders, tewermen, attendants, ticket sellers, and the like.

[Case No. 577]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 12th
day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of Annual Reports to this Commission
by express companies.

After due deliberation, it is

Ordered: 1. That the form of annual report prescribed by the Interstate Commerce Commission for reports of express companies for the year ended June 30, 1908, be adopted, with such verbal changes as may be necessary to adapt it to the State of New York, and that as thus changed and modified, such report form be prescribed for annual reports for the said year to be made by express companies within the jurisdiction of this Commission.

Ordered: 2. That each such company be required to make upon such form so modified its annual report for the said year, and to file the same in the office of this Commission on or before the 15th day of December proximo.

Ordered: 3. That the Secretary of this Commission forthwith serve upon each such company a certified copy of this order, accompanied by two copies of the said form.

458 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 198]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 13th
day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of the CHAMBER OF COM-
MERCE OF WATERTOWN, N. Y., *against* THE NEW YORK
CENTRAL AND HUDSON RIVER RAILROAD COMPANY as
to rates and service.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission.

[Case No. 375]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 16th
day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of BUFFALO CEREAL
COMPANY *against* LEHIGH VALLEY RAILROAD COM-
PANY and ERIE RAILROAD COMPANY, as to placing of
grain cars on the Buffalo Creek railroad, leased
to and operated by said Lehigh Valley Railroad Com-
pany and said Erie Railroad Company.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, agreeable to communication received from complainant on
November 13, 1908.

[Case No. 489]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 16th
day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of CORNELIUS SULLIVAN
against INTERNATIONAL RAILWAY COMPANY as to its
Plymouth Avenue line, Buffalo.

Cornelius Sullivan of Buffalo, N. Y., having filed with this Commission a
petition complaining of undue noise made by cars of the International Rail-

way Company operating on Plymouth avenue between Jersey and Hudson streets in said city; and the company having answered said petition; and hearings thereon having been held by this Commission in the city of Buffalo on October 23 and 30, 1908, *John J. Sullivan* appearing for the complainant, and *Porter Norton* appearing for the International Railway Company; now, upon the aforesaid petition and answer and evidence at the hearings, and after due deliberation, it is

Ordered: That on compliance by the International Railway Company with the following recommendations, to wit: that it shall order and direct its motormen and conductors to exercise all precautions for the prevention of noise while running through Plymouth avenue from Jersey street to Hudson street, especially during the night runs; to refrain from any unnecessary sounding of the gongs on cars, and to observe especial precaution in the use of the brake and turning on of power so that the use of either shall not produce unnecessary noise; also to keep the curve at Hudson street well greased, and to run no more lines of cars on Plymouth avenue (except in an emergency) than are now run there, to wit: the Hoyt line, the Grant line, and the Connecticut belt line; that the complaint herein be dismissed, with leave to the complainant to bring the same before the Commission at any time should the foregoing recommendations not be promptly complied with.

[Case No. 556]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of EMMET HAYNS, JOHN R. HAYNS, and CHARLES W. VROMAN against NATIONAL EXPRESS COMPANY as to rate on shipments of cream from Middleburg, Schoharie county, to the city of Albany.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, a new tariff naming rates satisfactory to complainants having been filed, effective November 16, 1908.

460 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 382]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the matter of the Complaint of the VILLAGE OF SEA CLIFF, L. I., against THE NASSAU COUNTY RAILWAY COMPANY as to height of steps of passenger cars.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, attorney for complainant advising that the defendant company has begun work to obviate the cause of complaint and that complaint may be dismissed.

[Case No. 411]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 17th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMIESTED,
Commissioners.

In the matter of the Complaint of the BOARD OF TRADE OF DANSVILLE, N. Y., against THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY as to passenger train service.

The Board of Trade of Dansville, N. Y., having on July 21, 1908, filed with this Commission a complaint against The Delaware, Lackawanna and Western Railroad Company, alleging that the passenger train service furnished to said village by said company is inadequate; and the said company having answered said complaint, and complainants having replied to said answer; and hearings in said matter having been held in the city of Buffalo on October 2nd and 30th, Newton B. Gorham appearing for complainant, F. W. Thomson and Louis L. Babcock appearing for said company; now, upon the aforesaid complaint, answer, reply, and evidence at the hearings, and after due deliberation; and it appearing that the passenger train service now given by said company at its Dansville station is unjust, unreasonable, and inadequate, in that the said company fails to give a just, reasonable, and adequate passenger train service from Dansville westward to Buffalo between the hours of five o'clock and eleven o'clock in the forenoon, and from Buffalo eastward to Dansville between the hours of six o'clock and eleven o'clock in the afternoon; it is

Ordered: 1. That such just, reasonable, and adequate service be given at said Dansville station by said The Delaware, Lackawanna and Western Railroad Company, by regularly stopping thereat its westbound train known as train No. 9, which now passes said station at approximately six o'clock in the morning; and by stopping upon signal or request to receive or discharge passengers at the said station its eastbound train known as No. 12, which now passes said station at approximately half past ten o'clock in the afternoon.

Ordered: 2. That the said The Delaware, Lackawanna and Western Railroad Company may at its option omit stopping the said trains 9 and 12 at Dansville, upon condition that it provides and operates a regular passenger train with suitable and adequate accommodations, which shall leave Dansville for Buffalo each day, except Sundays, not earlier than six o'clock nor later than seven o'clock in the morning, and run to Buffalo upon a time schedule of approximately two hours; and another such regular passenger train with suitable and adequate accommodations, which shall leave Buffalo each day, except Sundays, not earlier than eight o'clock nor later than nine o'clock in the evening, and run to Dansville upon a time schedule of approximately two hours, the said trains to be placed in service on the 30th day of November, 1908, and their operation to be continued until the further order of this Commission.

Ordered: 3. That this order shall take effect on the 30th day of November, 1908, and shall continue in force until otherwise ordered by this Commission.

Ordered: 4. That said The Delaware, Lackawanna and Western Railroad Company shall notify this Commission within five days from the service upon said company of a certified copy of this order whether the terms of this order are accepted and will be obeyed by said company.

[Case No. 574]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, State of New York, held at the Capitol in the city of Albany on the 17th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JOHN B. OLNSTED,
Commissioners.

In the matter of Requiring the CATSKILL ILLUMINATING
AND POWER COMPANY of the village of Catskill,
county of Greene, to make certain improvements to
its plant and property.

Order to Show
Cause.

On reading and filing the report dated November 16, 1908, of C. H. Stone, chief inspector of gas of this Commission, made after inspection and examination by him on November 13th of the works of the Catskill Illuminating and Power Company of the village of Catskill, Greene county, a copy of which is hereto attached and made a part hereof, wherein it appears that said company is not provided with sufficient and proper apparatus and appliances to enable it to manufacture gas of illuminating power and purity in compliance with the standards prescribed by this Commission; and upon the record on file in this office of the investigations of the quality of gas supplied by said company, made from time to time by this Commission, to wit: on August 21, 1907, January 16, April 22, August 28, October 1, and October 29, 1908, a copy of which record is hereto attached and made a part hereof, wherein it appears that said gas contains impurities in excess quantities; now, after due deliberation, and pursuant to the general powers conferred upon this Commission by section 66 of chapter 429, laws of 1907, it is

Ordered: That said Catskill Illuminating and Power Company be and is hereby directed to show cause before this Commission at its rooms in the Capitol, city of Albany, county of Albany, State of New York, on the 25th day of November, 1908, at 2 o'clock in the afternoon of that day, or as soon thereafter as counsel may be heard, why an order should not be entered by this Commission requiring said company forthwith to provide and install at its works in the said village of Catskill, for use in the manufacture of

gas, a tar extractor, an exhauster, and an additional purifying box, and to take steps looking forward to the construction at an early date of an additional gas holder; and why this Commission should not order such other and further relief in the premises as may be deemed necessary and proper, and as will best promote the public interests, preserve the public health and security, and protect those employed by said company in the manufacture and distribution of gas.

[Case No. 90]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 25th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of J. E. ARMSTRONG of Long Eddy, Sullivan county, as to hours of towermen on the Erie Railroad.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, complainant advising the Commission that satisfactory settlement has been made of his complaint.

[Case No. 417]

STATE OF NEW YORK,

PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 25th day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of the VILLAGE OF BERGEN against the GENESEE COUNTY ELECTRIC LIGHT, POWER AND GAS COMPANY of Batavia, N. Y., as to failure to carry out provisions of contracts as to the lighting of streets of the village of Bergen.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, attorney for complainant having advised the Commission of satisfactory adjustment of all matters of complaint.

[See Case No. 310, April 16, 1908, page 318; Case No. 311, April 16, 1908, page 292; Case No. 417, December 8, 1908, page 328; and Case No. 661, December 29, 1908, page 310.]

APPENDIX K: ORDERS

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[Case No. 466]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 25th
day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of GEORGE HORNUNG
of Buffalo, N. Y., against THE DELAWARE, LACKA-
WANNA AND WESTERN RAILROAD COMPANY, relative
to error in quotation of rates.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, disposition of same having been made at the hearing held
in Buffalo on Thursday, November 19, 1908.

[Case No. 542]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 25th
day of November, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF NIOBE
AND VICINITY, Chautauqua county, against ERIE RAIL-
ROAD COMPANY as to passenger train service.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, complainants having advised that the arrangements made
by the company to stop two additional trains on signal at Niobe satisfactorily
settle the matter.

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 1st
day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Filing and Publication at Stations
of Schedules of Rates and Regulations.

It appearing to the Commission that it should be advised as to the
methods employed by railroad corporations respecting the transmission, filing,

arrangement and checking at stations of schedules showing rates, fares, and regulations applying to the transportation of passengers and property, it is

Ordered: That each corporation operating a railroad by steam within this State be and is hereby directed and required to file with the Commission, on or before the 1st day of January, 1909, a statement verified by the proper officer, setting forth in full detail answers to the following questions:

1. When new rates or regulations are established by the filing of schedules or supplements to schedules, are these schedules or supplements sent to agents at stations at the same time that they are sent for filing with this Commission?

2. Are these new schedules or supplements always in the hands of agents for the full time specified by law: namely, thirty days before they become effective, or such shorter time as may be allowed by special order of the Commission?

3. What rules are established and enforced governing the transmission of schedules or supplements to agents at stations?

4. What system of checking is enforced whereby the date when a schedule or supplement is received by an agent at a station is made known to the company, and what record is kept by the company as to the receipt thereof by the agent, and the date of such receipt?

5. If in any case it appears that a schedule or supplement has not been received by an agent so that it shall be in his hands at least thirty days prior to the effective date, or such shorter time as the Commission shall have allowed, what is done to cure that disregard of the statutory requirement?

6. What rules are in force to insure that a schedule or supplement received by an agent at a station will be kept in the station files open to public inspection for the full time before it may become effective?

7. What rules are in force for the government of agents as to the arrangement, maintenance, and handling of schedules or supplements kept by them for public inspection?

8. What rules are in force under which agents must frequently remove expired, canceled, or superseded schedules from the station files?

9. What system of checking schedules or supplements is in force at stations: how is the checking done, and how often is it done?

10. To what extent do agents call upon the general or division freight officers for the quotation of rates? Explain fully why this occurs as to traffic within this State, and why, under the requirements of the law for posting at stations, it should occur in any instance.

11. In what ways can the system of filing and maintaining schedules at stations be improved, to the end that the using of rates not in force or not published at stations at the time of billing freight or ticketing passengers can be avoided?

12. What additional suggestions can be added to the information called for by the foregoing questions?

It is further Ordered: That a copy of this order be sent to the heads of the passenger and freight departments of each such railroad corporation, and that answers as above required be made to the foregoing questions separately for the passenger and freight departments.

[Case No. 536]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
**At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 2d
day of December, 1908.**

Present:

FRANK W. STEVENS, Chairman,
 THOMAS M. OSBORNE,
 MARTIN S. DECKER,
 JAMES E. SAGUE,
 JOHN B. OLNSTED,
 Commissioners.

**CHAMPLAIN BRICK COMPANY, FERRIS PAVING BRICK
COMPANY, NEW ENGLAND BRICK COMPANY, against
BOSTON AND MAINE RAILROAD.**

Upon the complaint and answer herein, and the evidence presented at a hearing held before the Commission in the city of Albany on the 16th day of November, 1908, it appears and the Commission finds and determines that since August 27, 1906, and for a number of years prior thereto, defendant's voluntarily established charge for the switching of freight in carloads between complainants' plants or yards in Mechanicville, N. Y., and the tracks of The Delaware and Hudson Company in Mechanicville, in relation to shipments transported within this State, has been the sum of \$2.00 per car; that defendant filed a schedule with this Commission September 30, 1908, to be effective November 4, 1908, increasing the said switching charge to 30 cents per net ton, except on coal, for which the said charge was thereby fixed at 30 cents per gross ton; that in consequence of the early hearing fixed for this case defendant was granted a postponement of such hearing to November 16, 1908, to enable said defendant to have further and sufficient time for the preparation and submission of its defense herein upon condition that the said increased rates of 30 cents per ton be canceled and not again made effective until December 7, 1908; that the said cancellation was thereafter made by defendant and a new tariff was filed by defendant October 31, 1908, making the said rate of 30 cents per ton as aforesaid effective on December 7, 1908; that the said rate of 30 cents per ton upon a carload of brick weighing thirty thousand pounds constitutes an increase in the switching charge from \$2.00 to \$9.00 per car; that the carload of brick often exceeds thirty thousand pounds, and such increased rate may often be \$12.00 or more per car; that such increased rate is prohibitive or otherwise excessive upon numerous, if not all, freight shipments made by or to complainants to which it may be applied; that the distances between complainants' plants, located on or near defendant's tracks, and the tracks of The Delaware and Hudson Company, are short, and the rate of \$2.00 per car voluntarily enforced by defendant on this switching service for a long period is compensatory and under all the circumstances just and reasonable; that the said increased rate of 30 cents per ton is unjust and unreasonable and in violation of the Public Service Commissions Law. Upon all the facts and considerations in this case, and after due deliberation, it is

Ordered: That the defendant, Boston and Maine Railroad, be and is hereby directed and required to put in force in the manner provided by law on or before December 7, 1908, a rate or charge for switching loaded cars in either direction between complainants' plants or yards in Mechanicville, N. Y., to the customary place of delivery upon or at the tracks of The Delaware and Hudson Company in Mechanicville, which shall not exceed the sum of \$2.00 for each loaded car switched or hauled as aforesaid. It is further

Ordered: That the defendant, Boston and Maine Railroad, may put the rate hereby prescribed in force on one day's notice to the Commission and the public. And it is further

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Ordered: That this order shall remain in force and effect for a period of three years from December 7, 1908, unless sooner modified, superseded, or abrogated by order of the Commission, upon the application of any party or person interested.

[Case No. 82]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th
day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
Commissioners.

In the matter of the Complaint of SPENCER KELLOGG
*against The New York Central and Hudson River
Railroad Company.*

After due deliberation, it is

Ordered: That the complaint of Spencer Kellogg against The New York Central and Hudson River Railroad Company be dismissed, it not appearing from the complaint, answer, and evidence that he is entitled to any relief from this Commission.

[Case No. 167]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of Complaints in relation to the inclosing
or vestibuling of the platforms of street railroad
cars in the county of Westchester.

Upon the application of J. Addison Young, receiver of The Westchester Electric Railroad Company, and after due deliberation, it is

Ordered: That the time of The Westchester Electric Railroad Company to comply with the order of the Commission entered herein on the 29th day of September, 1908, be and is hereby extended as follows, to wit: That with the exception of twelve cars, the said company shall have all of its closed cars used in passenger transportation equipped with vestibules as described in said order of September 29, 1908, on or before the 15th day of January, 1909, and that it shall have all of its cars so equipped with vestibules on or before the 1st day of February, 1909.

[See Case No. 167, September 29, 1908, page 438; Case No. 167, December 23, 1908, page 471.]

[Case No. 541]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of the DANSVILLE
BOARD OF TRADE *against* ERIE RAILROAD COMPANY
and RECEIVER OF THE DANSVILLE AND MT. MORRIS
RAILROAD COMPANY as to passenger-car service.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, complainant having withdrawn complaint at hearing at
Rochester, December 4, 1908; the respondents stating that a satisfactory
service would be put in operation between Dansville and Rochester beginning
December 5, 1908.

[Case No. 590]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 7th day
of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of RESIDENTS OF THE
TOWN OF EAST GREENBUSH, Rensselaer county, AND
OF THE CITY OF RENNSSELAER *against* ALBANY AND
HUDSON RAILROAD COMPANY as to construction of a
passenger station at station No. 17 on said railroad
in the town of East Greenbush.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of
this Commission, general manager of the Company having advised that a
small waiting station will shortly be erected at this stop.

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[Case No. 73]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 9th day
of December, 1908.

Present:

THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of ARTHUR W. EVANS
*against THE NEW YORK CENTRAL AND HUDSON
RIVER RAILROAD COMPANY.*

Upon the application of the respondent for a rehearing, and upon a supplemental communication from the respondent alleging the existence of changed conditions upon the section of railroad involved; and in view of the advisability under those conditions of further evidence by or on behalf of complainant as well as respondent (and also on behalf of the Commission should it be deemed necessary), it is

Ordered: 1. That such rehearing be and is hereby granted, and the case is reopened accordingly.

Ordered: 2. That the case be set for rehearing at a time and place to be hereafter fixed by the Commission, and at such rehearing both parties shall have the right to introduce further testimony, and further testimony will also be taken by the Commission upon its own motion so far as may be deemed necessary.

Ordered: 3. That the order of the Commission entered herein on the 29th day of September, 1908, as modified by order dated the 21st day of October, 1908, shall remain in full force and effect, unless the same shall be superseded, modified, or abrogated by the Commission.

[See Case No. 73, September 29, 1908, page 437.]

[Case No. 407]

STATE OF NEW YORK.
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 16th day
of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMS TED,
Commissioners.

In the matter of the Complaint of the OSWEGO CHAMBER OF COMMERCE *against THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY* as to failure of its passenger trains to connect with Lehigh Valley railroad passenger trains at Sterling.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, attorney for complainant stating that he feels satisfied that the present arrangement serves the greatest number of people.

[Case No. 433]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of WILLIAM PATTEN of Port Washington, Nassau county, *against* THE NEW YORK AND NORTH SHORE TRACTION COMPANY, alleging excessive noise made by compressed air signal whistles on passenger trains.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, complainant having advised that the nuisance has been somewhat diminished.

[Case No. 579]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 16th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the matter of the Complaint of C. COLTON of Oswegatchie, N. Y., *against* THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY as to freight rate on grain and feed in carload lots from Carthage to Oswegatchie.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, complainant having advised that the establishment of a rate of five cents per 100 lbs. on such shipments satisfactorily disposes of his complaint.

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[Case No. 75]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 18th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
Commissioners.

In the matter of the Complaint of the PRESIDENT OF THE VILLAGE OF SCOTIA, Schenectady county, *against* SCHENECTADY RAILWAY COMPANY as to construction of an extension of said company's railway in said village.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, a report from Inspector Barnes dated December 18, 1908, having shown that the line has been completed and put in operation, as desired by the village authorities.

[See Case No. 75, December 9, 1908, page 140.]

[Case No. 656]

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 22d day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JOHN B. OLTMSTED,
Commissioners.

In the matter of Accidents on Steam Railroads.

Whereas, The reports of investigations of accidents upon steam railroads made to this Commission during the year 1908 indicate that a very large proportion of all the accidents so investigated upon such roads during the past year have been caused by the failure of employees to obey standard operating rules or special instructions which were in force for the safe movement of trains; and

Whereas, It is important that the Commission have all attainable information regarding the operating rules of such roads, the methods used in examining applicants for employment as to capacity and fitness to discharge the duties of such employment, the methods used in instructing employees as to the rules and their duties under them, and the systems in use for enforcing observance of rules, to the end that it may properly discharge the duties imposed upon it by section 47 of the Public Service Commissions Law;

Ordered: That each and every operating steam railroad corporation under the supervision of this Commission be and it is hereby required and directed, pursuant to the provisions of sections 45 and 46 of the Public Service Commissions Law, to furnish and report to this Commission, on or before the 1st day of February, 1909, the following papers and information, to wit:

1. Five copies of all printed rules for the operation of its road.
2. A statement showing for each of the following classes of employees engaged in the operation of its road: namely, (a) engineers, (b) firemen, (c) conductors, (d) trainmen, (e) flagmen, (f) freightmen, (g) switch

tenders, (h) gatemen at crossings, (i) flagmen at crossings, (j) towermen, (k) telegraph operators, (l) train dispatchers, (m) any other employees engaged in operating trains, what examination or inquiry, if any, is made previous to their employment in or promotion to such positions, as to their mental and physical capacity, experience, and general fitness for the proposed employment.

3. A statement showing what steps are taken to require of each employee a competent knowledge of the operating rules governing his duties and conduct as such employee.

4. A statement showing what examinations or investigations are made from time to time, either regularly or otherwise, to keep informed as to whether employees of the said classes are familiar with the rules and instructions governing their duties and conduct, and what measures are taken to improve the effectiveness of operating rules from time to time and their applicability to disclose accident situations.

5. What record, if any, is kept of violations of rules and instructions by any of the aforesaid employees.

6. Any other information which may, in the opinion of the chief operating officer of each of said corporations, be of use to the Commission in investigating the causes of accidents so far as such accidents arise from neglect or non-observance of rules and instructions by employees.

[Case No. 167]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23rd day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JOHN B. OLMS TED,
Commissioners.

In the matter of Complaints in relation to the inclosing or vestibuling of the platforms of street railroad cars in the county of Westchester.

Ordered: In the above entitled matter, that the petition of J. Addison Young, as temporary receiver of the Tarrytown, White Plains and Mamaroneck Railway Company, for an extension of time to February 1, 1909, within which to comply with the order of the Commission entered in that proceeding on September 29, 1908, having been duly considered, be and the same is hereby granted.

[See Case No. 167, September 29, 1908, page 438; Case No. 167, December 7, 1908, page 466.]

[Cases No. 248, 272]

**STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.**
At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23d day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JOHN B. OLMS TED,
Commissioners.

In the matter of Complaints of RESIDENTS OF THE CITY OF BUFFALO and the CITIZENS UNION OF BUFFALO as to Passenger Stations and Terminals in said City.

Whereas, This Commission did on the 7th day of July, 1908, adopt the following preamble and resolution:

"Whereas, The proceeding upon the complaints of residents of the city of Buffalo and of citizens of said city concerning the passenger terminal facilities in that city is now pending undetermined, and the evidence taken upon the hearings therein and the personal observations of the Commission have shown a condition at the passenger station of the New York Central and Hudson River railroad upon Exchange street, which in the judgment of the Commission imperatively demands changes in said station in order to secure adequate service and facilities for the transportation of passengers and property, and the Commission being satisfied that the situation with respect to said matters demands and requires the exercise of the powers conferred upon it by section 50 of the Public Service Commissions Law;

"Resolved, That a further hearing upon said complaint be had at the hearing room of the Commission at the Capitol in the city of Albany on Monday, the 13th day of July, 1908, at 2 o'clock in the afternoon, and that The New York Central and Hudson River Railroad Company be and it is hereby directed and required to show cause at said hearing why it should not within a reasonable time, to be fixed by this Commission, erect a new passenger station of a character, dimensions, and arrangement to be designated by this Commission upon the lands now owned and occupied by it and abutting upon Exchange street and Washington street in said city of Buffalo, and that said company further show cause at said place and time why its facilities at its Exchange Street station should not be used exclusively by it and its so called allied lines;" and

Whereas, At the hearing had pursuant to said resolution, the general counsel for The New York Central and Hudson River Railroad Company did state to and request of this Commission, as follows: "Mr. Chairman, I have had a conference with Mr. Brown and with the other officers of the company, and first of all on their behalf and with their authority, I beg to inform the Commission that as far as the New York Central is concerned it is in earnest in reference to this Buffalo proposition, this Buffalo matter, and that the company is desirous of reaching, as soon as can be properly done, some disposition of the permanent terminal facilities in that city, and to that end are prepared, if they have not done so in the past, to give an assurance to the Commission that they will hereafter coöperate with the Commission in the endeavor to bring about some solution of that question in the way that it should be solved, some proper solution of it. In the next place, we have suggested to the Commission that the matter of the investigation of the Exchange Street site be proceeded with in just the way that the Commission suggested it should be considered at the time of its last adjournment in the matter; let that matter go on, so far as the New York Central is concerned, for whom I speak, as though the letter of June 9, if that is the date, had not been written, be unaffected by that letter; that this intermediate proceeding, if I can so designate it, be adjourned to a time to be fixed by the Chairman, that is subject to the call of the Chairman, so that if it becomes necessary to take this matter up further that it can be brought up at any time by the Commission"; and

Whereas, This Commission acceded to said request and held open indefinitely the proceedings under said order to show cause during the pendency of further hearings upon the original complaint, which further hearings have shown the impracticability of obtaining the construction of a joint or union passenger station in the city of Buffalo, and have demonstrated the only feasible way to obtain adequate passenger facilities in said city by action of this Commission is by the improvement of the existing passenger terminals;

Resolved, That a further hearing upon said order to show cause be held at the hearing room of the Commission in the city of Albany on the 20th day of January, 1909, at 2 o'clock in the afternoon.

[Cases No. 248, 272]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.
At a session of the Public Service Commission, Second
District, held at the Capitol, Albany, on the 23d
day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JOHN B. OLTMSTED,

Commissioners.

In the matter of Complaints of RESIDENTS OF THE CITY
OF BUFFALO and the CITIZENS UNION OF BUFFALO as
to Passenger Stations and Terminals in said City.

Whereas, In the hearings heretofore had upon the complaint of the citizens of Buffalo and the Citizens Union of Buffalo, N. Y., regarding the passenger stations and terminals in the said city of Buffalo of the several steam railroad corporations having lines located in said city, and in the hearings heretofore had upon the motion of this Commission respecting the Main Street crossing of the tracks of The Delaware, Lackawanna and Western Railroad Company in said city, evidence has been given tending to show that the passenger station of the said The Delaware, Lackawanna and Western Railroad Company in said city is inadequate and does not afford reasonable and proper facilities for public use, and that the tracks of said company extending in and along Ohio street in said city, and crossing Illinois, Indiana, Washington, and Main streets at grade are so situated and placed that the operation of trains over and along said tracks is dangerous to persons and property, and that the security and convenience of the public require a change in the manner of crossing and occupying the said streets by the said tracks of the said railroad company; and

Whereas, This Commission has no power to require steam railroad corporations having lines or tracks for passenger service in said city to join in the construction, use, and operation of a joint or union passenger station, and the several railroad corporations, parties to the first above mentioned proceeding, have taken action indicating the impossibility of obtaining such joint or union passenger station in said city by voluntary agreement;

Resolved, That as a continuation of the above mentioned proceedings, and both of them, and also upon the Commission's own motion, after hearing the evidence taken in said proceedings and personally inspecting and investigating the facilities afforded by The Delaware, Lackawanna and Western Railroad Company in said city of Buffalo, and the condition and location of its tracks in said Ohio street and at the grade crossings aforesaid, that a hearing be had at the hearing room of the Commission in the city of Albany on the 20th day of January, 1909, at 2 o'clock in the afternoon of that day, upon the subject of the adequacy of the facilities afforded by said passenger station and its accompanying tracks and terminals, and of the dangers and inconveniences occasioned by the location of said tracks in Ohio street and crossing the aforesaid Illinois, Indiana, aWshington, and Main streets; and that the said The Delaware, Lackawanna and Western Railroad Company be and it is hereby ordered and required to show cause at said time and place why this Commission should not, pursuant to section 50 of the Public Service Commissions Law, make and serve an order directing the construction of a new passenger station in the said city of Buffalo by the said company, or that it should make such repairs, changes, and additions about, in, and to its existing passenger station in said city as will make the same adequate in the facilities which it shall provide in and about the transportation of passengers; and that the said company further show cause at the said time and place why it should not make such improvements to and changes in its tracks extending along said Ohio street and crossing the streets above named, in said city, as are reasonably required in order to provide for the proper security and convenience of the public having occasion to use the said streets. That the Secretary forthwith serve a copy of this resolution upon The Delaware, Lackawanna and Western Railroad Company.

[Cases No. 248, 272]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23d day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JOHN B. OLNSTED,
Commissioners.

In the matter of Complaints of RESIDENTS OF THE CITY
OF BUFFALO and the CITIZENS UNION OF BUFFALO as
to Passenger Stations and Terminals in said City.

Whereas, In the hearings heretofore had upon the complaint of the citizens of Buffalo and Citizens Union of Buffalo, N. Y., regarding the passenger stations and terminals in the said city of Buffalo of the several steam railroad corporations having lines located in said city, evidence has been given tending to show that the passenger station of the Erie Railroad Company in said city is inadequate and does not afford reasonable and proper facilities for public use; and

Whereas, This Commission is without power to require steam railroad corporations having lines or tracks for passenger service in said city to join in the construction, use, and operation of a joint or union passenger station, and the several railroad corporations parties to the above mentioned proceeding have taken action indicating the impossibility of obtaining such joint or union passenger station in said city by voluntary agreement;

Resolved, That as a continuation of the above mentioned proceeding, and also upon the Commission's own motion, after hearing the evidence taken in said proceeding and personally inspecting and investigating the facilities afforded by the passenger station of the Erie Railroad Company in the said city of Buffalo, that a hearing be had at the hearing room of the Commission in the city of Albany on the 20th day of January, 1909, at 2 o'clock in the afternoon of that day, upon the subject of the adequacy of the facilities afforded by said passenger station and its accompanying tracks and terminals; and that the said Erie Railroad Company be and it is hereby ordered and required to show cause at said time and place why this Commission should not, pursuant to section 50 of the Public Service Commissions Law, make and serve an order directing the construction of a new passenger station in the said city of Buffalo by the said company, or that it should make such repairs, changes, and additions about, in, and to its existing passenger station in said city as will make the same adequate in the facilities which it should reasonably provide in and about the transportation of passengers. That the Secretary forthwith serve a copy of this resolution upon the said Erie Railroad Company.

[Cases No. 248, 272]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 23d day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
THOMAS M. OSBORNE,
MARTIN S. DECKER,
JOHN B. OLNSTED,
Commissioners.

In the matter of Complaints of RESIDENTS OF THE CITY
OF BUFFALO and the CITIZENS UNION OF BUFFALO as
to Passenger Stations and Terminals in said City.

Whereas, In the hearings heretofore had upon the complaint of the citizens of Buffalo and the Citizens Union of Buffalo, N. Y., regarding the passenger stations and terminals in the said city of Buffalo of the several steam railroad corporations having lines located in said city, evidence has been given tending to show that the passenger station of the Lehigh Valley Railroad Company in said city is inadequate and does not afford reasonable and proper facilities for public use, and that the tracks of said company leading to its said passenger station and crossing Michigan street, Chicago street, and Louisiana street in said city at grade are so placed that the operation of trains over and along said tracks is dangerous to persons and property, and that the security and convenience of the public require a change in the manner of crossing the said streets by the said tracks of the said railroad company; and

Whereas, This Commission is without power to require steam railroad corporations having lines or tracks for passenger service in said city to join in the construction, use, and operation of a joint or union passenger station, and the several railroad corporations parties to the above mentioned proceeding have taken action indicating the impossibility of obtaining such joint or union passenger station in said city by voluntary agreement;

Resolved, That as a continuation of the above mentioned proceeding, and also upon the Commission's own motion, after hearing the evidence taken in said proceeding and personally inspecting and investigating the facilities afforded by the passenger station of the Lehigh Valley Railroad Company in said city of Buffalo, and the condition and location of its tracks at the street crossings aforesaid, that a hearing be had at the hearing room of the Commission in the city of Albany on the 20th day of January, 1909, at 2 o'clock in the afternoon of that day, upon the subject of the adequacy of the facilities afforded by said passenger station and its accompanying tracks and terminals and of the dangers and inconveniences of the aforesaid grade crossings at said streets; and that the said Lehigh Valley Railroad Company be and it is hereby ordered and required to show cause at said time and place why this Commission should not, pursuant to section 50 of the Public Service Commission's Law, make and serve an order directing the construction of a new passenger station in the said city of Buffalo by the said company, or that it should not make such repairs, changes, and additions about, in, and to its existing passenger station in said city as will make the same adequate in the facilities which it should reasonably provide in and about the transportation of passengers; and that the said company further show cause, at the said time and place, why it should not make such improvements to and changes in its tracks extending along or near Scott street in the said city and crossing Michigan, Chicago, and Louisiana streets at the said streets as are reasonably required in order to provide for the proper security and convenience of the public having occasion to use the said streets. That the Secretary forthwith serve a copy of this resolution upon the said Lehigh Valley Railroad Company.

476 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 669]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLNSTED,
Commissioners.

In the Matter of Accidents on Street Surface Railroads.

Whereas, The reports of investigations of accidents upon street surface railroads made to this Commission during the year 1908 indicate that a very large proportion of all the accidents so investigated upon such roads during the past year have resulted from one of the following causes, namely:

1. Failure on the part of the company to adopt a set of rules for the government of employees;
2. Failure on the part of companies to adopt a proper running schedule;
3. Defects in rules;
4. Violation of rules by employees.

Whereas, The methods employed in securing efficient and capable employees, the methods employed in maintaining such efficiency and capability of employees, the character of rules and schedules adopted by such companies seriously affect the foregoing causes of accidents; and to the end that it may properly discharge the duties imposed upon it by section 47 of the Public Service Commissions Law, it is important that the Commission have all attainable information in regard to each of the above items in the operation of all such roads; therefore

Ordered: That each and every operating street surface railroad corporation under the supervision of this Commission be and it is hereby required and directed, pursuant to the provisions of section 45 and section 46 of the Public Service Commissions Law, to furnish and report to this Commission on or before the 1st day of February, 1909, the following papers and information, to wit:

1. Five copies of all printed rules governing employees in the operation of its road;
2. Five copies of the running schedule in effect on this date;
3. One complete set of blanks used in the employment of motormen and conductors;
4. A statement showing what instructions, either on the road or in the shop, are given applicants for the positions of motorman and conductor, and how much time, if any, must be spent by him in each case;
5. A statement showing the methods employed, in addition to the use of blanks, in ascertaining the qualifications of applicants for the positions of motorman and conductor;
6. In cases where the system includes city and suburban lines, whether promotions are made from the city to the suburban lines; if so, what examinations are motormen and conductors applicants for promotion required to pass;
7. Does the company maintain a school of instruction for applicants for motormen and conductors; if so, give full description of equipment in school and methods employed in conduct of same;
8. A statement showing what methods are employed by operating officials to keep informed of the efficiency and capability of motormen and conductors;
9. What records, if any, are kept of the violations of rules by motormen and conductors;
10. Any other information on the subjects of maintaining discipline of employees, disclosing accident situations, and suggestions which may in the

opinion of the chief operating officer be of use to the Commission in investigating the causes of accidents so far as they relate to defective rules or running schedules and lack of discipline of the employees.

[Case No. 431]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of Station building on the Ulster and Delaware Railroad at Kortright.

After due deliberation, it is

Ordered: That the plans submitted by The Ulster and Delaware Railroad Company for the improvement of its station at Kortright be approved by this Commission, the Citizens Committee of that village having advised that they are satisfactory.

[Case No. 568]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMFSTED,
Commissioners.

In the matter of the Complaint of FRED W. HADDEN and M. L. BEADLE of Savannah, Wayne county, against ROCHESTER, SYRACUSE AND EASTERN RAILROAD COMPANY, as to need of additional stop by cars of said company at a point midway between stops Nos. 65 and 66.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, the company having arranged to make a stop at the "High Bridge".

478 PUBLIC SERVICE COMMISSION, SECOND DISTRICT

[Case No. 598]

STATE OF NEW YORK,
PUBLIC SERVICE COMMISSION, SECOND DISTRICT.

At a session of the Public Service Commission, Second District, held at the Capitol, Albany, on the 29th day of December, 1908.

Present:

FRANK W. STEVENS, Chairman,
MARTIN S. DECKER,
JAMES E. SAGUE,
JOHN B. OLMSTED,
Commissioners.

In the matter of the Complaint of FRANK G. SAWYER of Auburn, N. Y., *against* AUBURN AND NORTHERN ELECTRIC RAILROAD COMPANY, as to refusal of said company to construct culvert adjoining complainant's farm land.

After due deliberation, it is

Ordered: That the matter of this complaint be closed on the records of this Commission, complainant having advised that the company has completed such construction to his satisfaction.

APPENDIX L.

**IN THE MATTER OF CHANGES IN SCHEDULED TARIFFS ON SHORT
NOTICE.**

APPENDIX L.

Section 29 of the Public Service Commissions Law provides that for good cause shown the Commission may allow changes in rates without requiring the thirty days' notice and publication therein provided for, "by duly filing and publishing in such manner as it may direct an order specifying the changes so made and the time when it shall take effect ;all such changes shall be immediately indicated upon its schedules by the common carrier".

Under this section of the law, during the fiscal year ended December 31, 1908, the Commission issued special permits for short notice tariffs as follows, the office order No., the date, and the name of the corporation making the application therefor preceding the formal order:

No. 186; January 2, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel its passenger tariffs P. S. C., 2 N. Y., Nos. 12 and 18, naming local round-trip fares; provided that such cancellations are filed with this Commission under Supplements No. 1 to P. S. C., 2 N. Y., Nos. 85 and 86, and posted at stations at least one day prior to the effective date specified in such schedules. Such schedules shall be filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 186, of date January 2, 1908."

No. 187; January 4, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company be and is hereby authorized to change its tariff P. S. C., 2 N. Y., No. 107, by eliminating therefrom that portion under heading "Storage in Cars on Public Team Tracks," provided that a tariff making such change shall be filed with this Commission under P. S. C., 2 N. Y., No. 133, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 187, of date January 4, 1908."

No. 188; January 13, 1908; New York and Ottawa Railway Company:

Ordered: That the New York and Ottawa Railway Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish special rate of nine cents (\$0.09) per 100 pounds on Bark, carloads, minimum weight as per Official Classification, from Santa Clara, N. Y., Meno, N. Y., Dickinson Center, N. Y., and St. Regis Falls, N. Y., to Middleville, N. Y., via Tupper Lake Junction, N. Y., and N. Y. C. & H. R. R. Co.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 72, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days

from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 188, of date January 13, 1908."

No. 189; January 13, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to establish special rates as named in application on Barley, Buckwheat, Corn, Oats, Rye, and Wheat, carloads, minimum weight as per Official Classification, from Amboy, N. Y., and other stations named in application to Rochester, N. Y., and other stations named in application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 746, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 189, of date January 13, 1908."

No. 190; January 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of eight cents (\$0.40) per net ton on Ice, carloads, minimum weight 50,000 pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum weight be less than 40,000 pounds, from Potsdam, N. Y., to Eben, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3175, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 190, of date January 15, 1908."

No. 191; January 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of eight cents (\$0.48) per 100 pounds on Bark, carloads, minimum weight as per Official Classification, from Edwards, N. Y., to Middleville, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3177, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 191, of date January 15, 1908."

No. 192; January 17, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of forty-five cents (\$0.45) per net ton on Ice, carloads, minimum weight 50,000 pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum be less than 40,000 pounds, from Cape Vincent, N. Y., to Dexter, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3204, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 192, of date January 17, 1908."

No. 193; January 18, 1908; Auburn Construction Company:

Ordered: That the Auburn Construction Company, constructing and operating the New York, Auburn and Lansing railroad, be and is hereby authorized to cancel and reissue its tariff P. S. C., 2 N. Y., No. 1, and to establish rates as named in application; provided that tariffs naming such rates are filed with this Commission under P. S. C., 2 N. Y., Nos. 2, 3, and 4, and posted at stations at least five days prior to the effective date specified therein. Such tariffs shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 193, of date January 18, 1908."

No. 194; January 20, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish special rates as named in application on Ice, carloads, minimum weight 20 net tons, from Narrowsburg, N. Y., Monroe, N. Y., and New Hampton, N. Y., to Cohecton, N. Y., and other stations named in application; also switching charge of five dollars (\$5.00) per car at New Hampton, N. Y., from pond to ice houses; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 829, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 194, of date January 20, 1908."

No. 195; January 20, 1908; Raquette Lake Railway Company:

Ordered: That the Raquette Lake Railway Company be and is hereby authorized to establish special rate of twenty cents (\$0.20) per net ton on Ice, carloads, minimum weight 25 net tons, from Rondaxe, N. Y., and Raquette Lake, N. Y., to Clearwater, N. Y.; provided that a tariff naming such rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3202, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 195, of date January 20, 1908."

No. 196; January 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Lima-Honeoye Electric Light and Railroad Company, be and is hereby authorized to establish special rate of eighty-five cents (\$0.85) per gross ton on Pig Iron, carloads, minimum weight 25 gross tons except when the marked capacity of car is less, in which case the marked capacity of the car will be the minimum weight, but in no case shall the minimum carload weight be less than 15 gross tons, from Charlotte, N. Y., to Lima, N. Y., via Honeoye Falls, N. Y., and Lima-Honeoye Electric Light and Railroad Company; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3250, superseding tariff P. S. C., 2 N. Y., No. 3185, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 196, of date January 23, 1908."

No. 197; January 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of four and one-half cents (\$0.04½) per 100 pounds on Pulp Wood, carloads, minimum

weight 40,000 pounds, from Emeryville, N. Y., Taleville, N. Y., and Edwards, N. Y., to Watertown, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3227, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 197, of date January 23, 1908."

No. 198; January 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on Cord Wood, Stove Wood, and Slab Wood, carloads, minimum weight 40,000 pounds, special rate of three cents (\$0.03) per 100 pounds from Benson Mines, N. Y., Harrisville, N. Y., Kalurah, N. Y., Newton Falls, N. Y., and Oswegatchie, N. Y.; and two and one-half cents (\$0.02½) per 100 pounds from Natural Bridge, N. Y., to Carthage, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3240, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 198, of date January 23, 1908."

No. 199; January 24, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to add Batavia, N. Y., as a station at which arrangements for milling or mixing in transit as shown in its tariff P. S. C., 2 N. Y., No. 3076, will apply; provided that a tariff making such addition shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 3076, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 199, of date January 24, 1908."

No. 200; January 25, 1908; Fulton Chain Railway Company:

Ordered: That the Fulton Chain Railway Company be and is hereby authorized to establish special rate of fifteen cents per net ton on Ice, carloads, minimum weight 25 net tons, from Old Forge, N. Y., to Fulton Chain, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall contain the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 200, of date January 25, 1908."

No. 201; January 27, 1908; New York and Ottawa Railway Company:

Ordered: That the New York and Ottawa Railway Company be and is hereby authorized to establish special rate of two dollars (\$2.00) per thousand feet on Soft Wood Logs, carloads, minimum four thousand (4,000) feet per car, from Santa Clara, N. Y., and Spring Cove, N. Y., to Tupper Lake Junction, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 77, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 201, of date January 27, 1908."

No. 202; January 28, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company, in connection with The New York Central and Hudson River Railroad Company, be and hereby is authorized to establish special rate of one dollar and sixty cents (\$1.60) per net ton on Piles, carloads, minimum weight as per Official Classification, from Dolgeville, N. Y., to Hoffmans, N. Y., via N. Y. C. & H. R. R. R. Co.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 35, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 202, of date January 28, 1908."

No. 203; January 31, 1908; Raquette Lake Railway Company:

Ordered: That the Raquette Lake Railway Company be and is hereby authorized to establish special rate of twenty (20) cents per net ton on Ice, carloads, minimum weight twenty-five (25) net tons, from Rondaxe, N. Y., and Raquette Lake, N. Y., to Clearwater, N. Y.; provided that a tariff naming such rate shall be filed with this Commission and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 203, of date January 31, 1908."

No. 204; January 31, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Cranberry Lake Railroad Company, be and is hereby authorized to establish special rate of ten dollars (\$10.00) per car on Logs, carloads, cars not to be loaded beyond marked capacity, from Kalurah, N. Y., Newton Falls, N. Y., and Oswegatchie, N. Y., to Wanakena, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3221, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 204, of date January 31, 1908."

No. 205; January 31, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of fifty cents (\$0.50) per cord on Pulp Wood, carloads, minimum 12 cords per car, from Lake Kushqua, N. Y., to Tekene, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3277, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 205, of date January 31, 1908."

No. 206; February 1, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of thirty cents (\$0.30) per net ton on Pulp Wood, carloads, minimum weight 40,000 pounds, from Felts Mills, N. Y., to Carthage, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3279, and posted at stations at least one day prior to the effective date speci-

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filed in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 206, of date February 1, 1908."

No. 207; February 1, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on Pulp Wood, carloads, minimum weight 40,000 pounds, special rate of three and one-half cents (\$0.03½) per 100 pounds from Keenes, N. Y., and four cents (\$0.04) per 100 pounds from Richville, N. Y., to Watertown, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3276, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 207, of date February 1, 1908."

No. 208; February 1, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of seventy-five cents (\$0.75) per net ton on Ice, carloads, minimum weight 50,000 pounds unless marked capacity of car is less, when the marked capacity of car will govern, but in no case less than 40,000 pounds, from Towners, N. Y., to High Bridge, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3278, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 208, of date February 1, 1908."

No. 209; February 1, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish special rates as named in application on Ice, carloads, minimum weight 20 net tons, from Cuba Summit, N. Y., and Andover, N. Y., to Hinsdale, N. Y., and other stations named in application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 839, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 209, of date February 1, 1908."

No. 210; February 1, 1908; Fonda, Johnstown and Gloversville Railroad Company:

Ordered: That the Fonda, Johnstown and Gloversville Railroad Company be and is hereby authorized to establish on Ice, carloads, special rate of fifteen cents (\$0.15) per net ton to Gloversville, N. Y., minimum charge five dollars per car, and twenty cents (\$0.20) per net ton to Johnstown, N. Y., minimum charge six dollars per car, from Mayfield, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 64, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 210, of date February 1, 1908."

No. 211; February 1, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish special rate of thirty cents (\$0.30) per net

ton on Ice, carloads, minimum weight 40,000 pounds, from Inghams, N. Y., to Dolgeville, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 41, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 211, of date February 1, 1908."

No. 212; February 3, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish special rate of thirteen cents (\$0.13) per 100 pounds on Printing Paper for Newspapers, in Rolls or Bundles, carloads, minimum weight as per Official Classification, from Fort Edward, N. Y., and Glens Falls, N. Y., to Melrose Junction, N. Y., routed via Troy, N. Y., and The New York Central and Hudson River Railroad Company; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1439, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 212, of date February 3, 1908."

No. 213; February 4, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of one and one-quarter cents (\$0.01 1/4) per 100 pounds on Wood Pulp, carloads, minimum weight 40,000 pounds, from Dexter, N. Y., to Brownville, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3307, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 213, of date February 4, 1908."

No. 214; February 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates as named in application on Ice, carloads, minimum weight 50,000 pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum weight be less than 40,000 pounds, from Cayuga, N. Y., to Sennett, N. Y., and other stations named in application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3258, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 214, of date February 7, 1908."

No. 215; February 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of forty cents (\$0.40) per gross ton on Limestone or Fluxing Stone, carloads, minimum weight marked capacity of car but not less than 20 gross tons, from Gouverneur, N. Y., to Dexter, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3309, and posted at stations at least one day prior to the effective date specified in such tariff.

Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 215, of date February 7, 1908."

No. 216; February 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rates as named in application on Bark, carloads, minimum weight as per Official Classification, from Kalurah, N. Y., and other stations named in application to Middleville, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3340, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 216, of date February 7, 1908."

No. 217; February 7, 1908; Norwood and Saint Lawrence Railroad Company:

Ordered: That the Norwood and Saint Lawrence Railroad Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish special rate on Wood Pulp Refuse (Screenings), carloads, minimum weight 40,000 pounds, from Norfolk, N. Y., to Watertown, N. Y., of four and one-half cents (\$0.04½) per 100 pounds; and to Fulton, N. Y., of eight and one-half cents (\$0.08½) per 100 pounds, via Norwood, N. Y., and N. Y. C. & H. R. R. Co.; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 6, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 217, of date February 7, 1908."

No. 218; February 10, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish special rate on all traffic moved over Tekene branch, including shipments received from or delivered to The New York Central and Hudson River Railroad Company at Tekene Junction, N. Y., of ten cents (\$0.10) per net ton in addition to rate to or from Loon Lake, N. Y. It is further

Ordered: And said company is hereby authorized to cancel from their Supplement No. 7 to P. S. C., 2 N. Y., No. 1227, on the effective date of the schedule, February 27, 1908, the following rate provided for therein: "On all traffic except Pulp Wood moved over Tekene branch, add \$5.00 per car to rate to or from Loon Lake, N. Y. On Pulp Wood, add 10 cents per net ton to rate to or from Loon Lake, N. Y. Waybill to Loon Lake, N. Y." Provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 8 to P. S. C., 2 N. Y., No. 1227, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 218, of date February 10, 1908."

No. 219; February 10, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish special rates as named in application on Ice, carloads, minimum weight twenty net tons, from Narrowsburg, N. Y., Cameron Mills, N. Y., and Andover, N. Y., to Callicoon, N. Y., and other stations named in application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 852, and posted at stations at least five days

prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 219, of date February 10, 1908."

No. 220; February 10, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish special rates as named in application on Flour, carloads and less carloads, governed by the Official Classification, from Baldwinsville, N. Y., to Woodard, N. Y., and other stations named in application; provided that a tariff naming such rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 425, and posted at stations at least fifteen days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 220, of date February 10, 1908."

No. 222; February 17, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 3336, to show destination as Remsen, N. Y., instead of Rensselaer, N. Y.; provided that a tariff making such change shall be filed with the Commission under P. S. C., 2 N. Y., No. 3366, and posted at stations at least five days prior to the effective date, March 9, 1908, specified therein. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 222 corrected, of date February 17, 1908."

No. 223; February 17, 1908; The Lehigh and Hudson River Railway Company:

Ordered: That The Lehigh and Hudson River Railway Company, in connection with the Erie Railroad Company, be and is hereby authorized to establish special rate of forty cents (\$0.40) per net ton on Ice, carloads, minimum weight 20 net tons, from Burnside, N. Y., to Chester, N. Y., via Greycourt, N. Y., and Erie Railroad Company; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 35, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 223, of date February 17, 1908."

No. 224; February 17, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of ten cents (\$0.10) per 100 pounds on Marble, Chiseled, Polished, Dressed, Sawed, or Hammered, valuation restricted to forty cents (\$0.40) per cubic foot, carloads, minimum weight as per Official Classification, from Gouverneur, N. Y., to Victor, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3388, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 224, of date February 17, 1908."

No. 225; February 18, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special switching charge of four dollars (\$4.00) per car at Auburn, N. Y., on cars handled for account of New York, Auburn and Lansing railroad; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3390, and posted at stations at least fifteen days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 225, of date February 18, 1908."

No. 226; February 19, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish special rate of sixty cents (\$0.60) per net ton on Hay, carloads, minimum weight as per Official Classification, from Little Falls, N. Y., to Dolgeville, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 45, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 226, of date February 19, 1908."

No. 227; February 24, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 937, which becomes effective February 29, 1908, and establish rate of \$5.00 per car on Ice, carloads, from New York, Ontario and Western Railway Company tracks to Lehigh and Hudson River railway company tracks at Burnside, N. Y., and reestablish other rates as named in P. S. C., 2 N. Y., No. 937; provided that a tariff making such change shall be filed with this Commission under P. S. C., 2 N. Y., No. 963, and posted at stations at least three days prior to the effective date specified in such tariff (February 29, 1908). Such tariff shall be so filed and posted within five days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 227, of date February 24, 1908."

No. 228; February 24, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of eleven cents (\$0.11) per 100 pounds on Oats, carloads, minimum weight as per Official Classification, from Cape Vincent, N. Y., to Troy, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3430, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 228, of date February 24, 1908."

No. 229; February 24, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish special rate of sixty-five cents (\$0.65) per net ton on Ice, carloads, minimum weight twenty net tons, from Lakeville, N. Y., to Corning, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 864, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and

shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 229, of date February 24, 1908."

No. 230; February 28, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to reissue tariff P. S. C., 2 N. Y., No. 823, without making any change whatever in any of the rules, regulations, or charges contained therein; provided that such reissue shall be filed with this Commission under P. S. C., 2 N. Y., No. 855, to become effective March 2, 1908, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 230, of date February 28, 1908."

No. 231; February 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 3328; provided that such reissue shall be filed with this Commission under P. S. C., 2 N. Y., No. 3419, and posted at stations at least five days prior to the effective date (March 12, 1908) specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 231, of date February 28, 1908."

No. 232; February 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 3421; provided that such tariff shall show rate Utica, N. Y., to Honnedaga, N. Y., at \$1.40 per net ton; and Utica, N. Y., to Forestport, N. Y., at \$1.60 per net ton; and no change in any other rates; and shall be filed with this Commission under P. S. C., 2 N. Y., No. 3454, and posted at stations at least twenty days prior to the effective date (March 26, 1908) specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 232, of date February 28, 1908."

No. 233; February 28, 1908; Norwood and Saint Lawrence Railroad Company:

Ordered: That the Norwood and Saint Lawrence Railroad Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish special rate of nine and one-half cents (\$0.09½) per 100 pounds on Wood Pulp Refuse (Screenings), carloads, minimum weight 40,000 pounds, from Norfolk, N. Y., to North Tonawanda, N. Y., via Norwood, N. Y., and New York Central and Hudson River railroad; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 8, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 233, of date February 28, 1908."

No. 234; February 29, 1908; Lehigh Valley Railroad Company:

Ordered: That the Lehigh Valley Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 752, and include switching charge of three dollars (\$3.00) per car at Cayuga, N. Y., on Ice, carloads, from Independent Ice Co.'s Ice House to tracks of The New York Central

and Hudson River Railroad Company when destined to Geneva, N. Y.; also substitute Shannon & Co.'s Ice House for Farmer's Dairy Despatch Co.'s Ice House; provided that such tariff shall be filed with this Commission under P. S. C., 2 N. Y., No. D-752, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 234, of date February 29, 1908."

No. 235; March 2, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That in view of special and unusual conditions, The New York Central and Hudson River Railroad Company and other carriers terminating at New York city which have published tariffs effective March 1 and 2, 1908, containing rules and regulations governing lighterage and delivery service in New York harbor which affect certain advances over the charges previously in force for said service, are hereby authorized to make effective upon one day's notice to the Commission and to the public, supplements to such tariffs, naming said rules and charges which said supplements shall cancel, and provide that the rules and regulations affecting such lighterage and delivery service in force prior to March 1 and 2, 1908, shall be reinstated and continue in force until March 14, 1908. It is further

Ordered: That said The New York Central and Hudson River Railroad Company and other carriers terminating at New York city may make effective March 15, 1908, upon three days' notice to the public and to the Commission, tariffs establishing revised rules and charges governing lighterage and delivery service in New York city, as submitted with the application. It is further

Ordered: That tariffs issued by connecting carriers of The New York Central and Hudson River Railroad Company, or by fast freight lines applicable over The New York Central and Hudson River Railroad Company's line, and embodying said rules and regulations governing lighterage and delivery service at New York as established by The New York Central and Hudson River Railroad Company to become effective March 1 and 2, 1908, may be canceled upon one day's notice to the public and to the Commission, by appropriate supplements to said tariffs, which supplements shall provide that the said rules and charges at New York in effect prior to March 1 and 2, 1908, shall be reinstated and remain in effect until and including March 14, 1908; and that such carriers or fast freight lines may make effective March 15, 1908, upon three days' notice to the Commission and to the public, such revised rules and regulations governing charges for lighterage and delivery service at New York as may be established by said The New York Central and Hudson River Railroad Company under the authority herein granted. Tariffs or supplements issued under this order must bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 235, of date March 2, 1908."

No. 236; March 4, 1908; Norwood and Saint Lawrence Railroad Company:

Ordered: That the Norwood and Saint Lawrence Railroad Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish special rate of thirteen and one-half cents (\$0.13½) per 100 pounds on Wood Pulp Refuse (Screenings), carloads, minimum weight 40,000 pounds, from Norfolk, N. Y., to Castleton, N. Y., via Norwood, N. Y., and New York Central and Hudson River railroad; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 9, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 236, of date March 4, 1908."

No. 237; March 4, 1908; The New York, Auburn and Lansing Railroad Company:

Ordered: That The New York, Auburn and Lansing Railroad Company be and is hereby authorized to issue its Local Freight Tariff of Class Rates, Local Proportional Commodity Tariff, Official Classification, and Supplements Nos. 1, 2, 3, 4, and 5 thereto, and Local Switching Tariff at Auburn, N. Y., as shown in application, and which are a reissue of existing rates now in effect; provided that such tariffs shall be filed with this Commission under P. S. C., 2 N. Y., Nos. 1, 2, 3, and 4, and posted at stations at least five days prior to the effective dates specified in such tariffs. Such tariffs shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 237, of date March 4, 1908."

No. 238; March 4, 1908; The New York Central and Hudson River Railroad Company, and West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That The New York Central and Hudson River Railroad Company and West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and are hereby authorized to make effective three days after filing copy thereof with the Commission and posting at their stations, their tariffs N. Y. C. & H. R. R. Co. P. S. C., 2 N. Y., No. 122; West Shore Railroad P. S. C., 2 N. Y., No. 54; such tariffs to establish instructions and conditions governing the issuance of tickets at temporarily reduced fares on account of conventions, meetings, and other special occasions, from stations on the N. Y. C. & H. R. R. and stations on the West Shore railroad as set forth in their applications. This permission is limited strictly to its terms, and does not include later supplements to or reissues of the tariffs issued hereunder. It is void unless tariffs above specified are filed with the Commission within ten days from the date hereof. Such tariffs must bear notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 238, of date March 4, 1908."

No. 239; March 4, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to make effective April 1, 1908, its Supplement No. 5 to P. S. C., 2 N. Y., No. 663; provided that such schedule shall be filed with this Commission and posted at stations within five days from the date of this order. Such schedules shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 239, of date March 4, 1908."

No. 240; March 4, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 965, to provide rate of fifty cents (\$0.50) per net ton on commodities specified therein, from Munns, N. Y., to stations Deansboro, N. Y., to Rome, N. Y., inclusive, and to Utica, N. Y., and New Hartford, N. Y.; provided that such reissue shall be filed with this Commission under P. S. C., 2 N. Y., No. 973, and posted at stations at least fifteen days prior to the effective date (March 27, 1908) specified therein. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 240, of date March 4, 1908."

No. 241; March 4, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 964,

to provide the same rates upon Crude Wood Alcohol, in barrels, carloads and less carloads; provided that such reissue shall be filed with this Commission within five days from the date of this order, to become effective March 27, 1908, and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 241, of date March 4, 1908."

No. 242; March 5, 1908; New York and Ottawa Railway Company:

Ordered: That the New York and Ottawa Railway Company be and is hereby authorized to establish special rate of one dollar (\$1.00) per cubic cord on Cord Wood, Slab Wood, and Block Wood, carloads, minimum 12 cubic cords; also special rate of fifty cents (\$0.50) per lineal cord on Corner Wood, Listings, and Goosenecks, carloads, minimum 20 lineal cords, from Santa Clara, N. Y., St. Regis Falls, N. Y., and Shanley's, N. Y., to Moira, N. Y., Helena, N. Y., and Nyando, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 80, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 242, of date March 5, 1908."

No. 243; March 5, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That in view of special and unusual conditions, and good cause shown, The New York Central and Hudson River Railroad Company, and all other railroad corporations operating within the State of New York which have filed with this Commission and published as required by law Official Classification No. 31, be and are hereby authorized to issue Supplement No. 5 to Official Classification No. 31, and make the same effective April 1, 1908, upon fifteen (15) days' notice to the public and to the Commission; provided that said supplements contain no other changes than the following:

Brooms, Wire, in boxes, less carloads.....3d class
Brushes, Wire, N. O. S., (not toilet brushes) in boxes, less carloads..3d class

Such supplements must bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 243, of date March 5, 1908."

No. 244; March 10, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of two cents (\$0.02) per 100 pounds on Old Grindstones, carloads, minimum weight as per Official Classification, from Carthage, N. Y., Great Bend, N. Y., and Felts Mills, N. Y., to Deer River, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3526, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 244, of date March 10, 1908."

No. 245; March 10, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special switching charge of one dollar (\$1.00) per car for switching carload freight between industries and private sidings within the switching limits of North Tonawanda, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 1219, and posted at stations

at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 245, of date March 10, 1908."

No. 246; March 10, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to establish special switching charge of one dollar (\$1.00) per car for switching carload freight between industries and private sidings within the switching limits of North Tonawanda, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 272, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 246, of date March 10, 1908."

No. 247; March 10, 1908; Boston and Albany Railroad Company:

Ordered: That the Boston and Albany Railroad Company be and is hereby authorized to reissue its tariffs P. S. C., 2 N. Y., Nos. 81 and 82, as specified in application, reducing the per diem charge for the first four days cars are held at Rensselaer, N. Y., warehouse, from fifty cents (\$0.50) per car to twenty-five cents (\$0.25) per car; provided that tariffs making such change shall be filed with this Commission under P. S. C., 2 N. Y., Nos. 95 and 96, and posted at stations at least two days prior to the effective dates specified in such tariffs. Such tariffs shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 247, of date March 10, 1908."

No. 248; March 10, 1908; Central New England Railway Company:

Ordered: That the Central New England Railway Company be and is hereby authorized to establish special rate of twenty-five cents (\$0.25) per car per day for the first four days on cars held for diversion at Campbell Hall Transfer, N. Y., Fishkill Landing, N. Y., and Rhinecliff, N. Y.; provided that a tariff naming this rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 351, and posted at stations at least two days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 248, of date March 10, 1908."

No. 249; March 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of ten cents (\$0.10) per 100 pounds on less carload and eight cents (\$0.08) per 100 pounds on carload shipments of Iron and Steel Articles, as shown in P. S. C., 2 N. Y., No. 2413, and at carload minimum weights as specified therein; provided that a tariff naming said rates shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 3433, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 249, of date March 11, 1908."

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No. 250; March 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special class rates from Watertown, N. Y., to various N. Y. C. & H. R. R. stations to apply on shipments of Axes and other commodities, subject to the rules and regulations of the current Official Classification, rates and destination points named in application; provided that a tariff naming such rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3478, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 250, of date March 11, 1908."

No. 251; March 11, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 786, changing the rate of seventy cents (\$0.70) per net ton on Common Brick, carloads, from West Haverstraw, N. Y., to West Point, N. Y., to sixty cents (\$0.60) per net ton; provided that a tariff making such change shall be filed with this Commission under P. S. C., 2 N. Y., No. 866, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 251, of date March 11, 1908."

No. 252; March 11, 1908; The Rochester and Sodus Bay Railway Company:

Ordered: That The Rochester and Sodus Bay Railway Company be and is hereby authorized to establish special one-way and round-trip passenger fares between Rochester, N. Y., and various stations as named in application; provided that a tariff naming the rates specified in the application is filed with this Commission and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 252, of date March 11, 1908."

No. 252; March 12, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That the New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of two dollars (\$2.00) per head (regardless of weight) on Cattle, less carloads, when shipped in live stock pick-up cars on Tuesdays from stations on the Putnam division, Morris Heights, N. Y., to Tilly Foster, N. Y., inclusive, to New York city; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 3544, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within four days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 252, of date March 12, 1908."

No. 253; March 16, 1908; Pennsylvania Railroad Company:

Ordered: That the Pennsylvania Railroad Company be and is hereby authorized to reissue its tariff G. O., P. S. C., 2 N. Y., No. 92, making the changes specified in the application; provided that such reissue bearing effective date of April 4, 1908, is filed with this Commission under G. O., P. S. C., 2 N. Y., No. 97, and posted at stations at least ten days prior

to April 4, 1908. Such tariff shall be so filed and posted within fifteen days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 253, of date March 16, 1908."

No. 254; March 16, 1908; New York and Ottawa Railway Company:

Ordered: That the New York and Ottawa Railway Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish a permanent special rate of seventeen cents (\$0.17) per 100 pounds on Horses, carloads, minimum weight 20,000 pounds, from Santa Clara, N. Y., and St. Regis Falls, N. Y., to Long Lake West, N. Y., via Tupper Lake Junction, N. Y., and The New York Central and Hudson River Railroad Company; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 85, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 254, of date March 16, 1908."

No. 255; March 18, 1908; The New York, Auburn and Lansing Railroad Company:

Ordered: That The New York, Auburn and Lansing Railroad Company be and is hereby authorized to establish special permanent rates on commodities as named in application between stations on The New York, Auburn and Lansing Railroad Company and junction with the Lehigh Valley railroad at Auburn, N. Y.; provided that a tariff naming the rates specified in the application is filed with this Commission under P. S. C., 2 N. Y., No. 8, and posted at stations at least five days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 255, of date March 18, 1908."

No. 256; March 16, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish permanent special rates as named in application from Harrisville, N. Y., to Carthage, N. Y., to apply on Printing Paper, carloads and less carloads, minimum weight as per Official Classification; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3565, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 256, of date March 16, 1908."

No. 257; March 19, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with the Hudson Navigation Company, be and is hereby authorized to establish joint class rates applying between New York, N. Y., and Brooklyn Eastern District Terminal, Jay Street Terminal, and Bush Docks Terminal, Brooklyn, N. Y., and The Delaware and Hudson Company stations index Nos. 1 to 8 inclusive, and 27 to 50 inclusive, as follows:

1	2	3	4	5	6	classes
—	—	—	—	—	—	cents per 100 pounds,
45	40	31	21½	19	16	
minimum charge forty-five cents (\$0.45); and The Delaware and Hudson Company stations index Nos. 9 to 24 inclusive, as follows:						
1	2	3	4	5	6	classes
—	—	—	—	—	—	
50	43	33	24	20½	17	cents per 100 pounds,

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minimum charge fifty cents (\$0.50); and The Delaware and Hudson Company stations index Nos. 25 and 26, as follows:

1	2	3	4	5	6	classes
56	48½	38	28	24	20	cents per 100 pounds,

minimum charge fifty-six cents (\$0.56); provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 1488, and posted at stations giving three days' notice of the change in rates. Such tariff to provide on its title page that it will become effective on the opening of navigation on the Hudson river, the effective date to be specified by supplement to be filed with this Commission and posted at stations one day in advance; and it is further

Ordered: That such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 257, of date March 19, 1908."

No. 258; March 19, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with Murray's Line, be and is hereby authorized to establish joint class rates applying between New York, N. Y., and Brooklyn Eastern District Terminal, Jay Street Terminal, and Bush Docks Terminal, Brooklyn, and The Delaware and Hudson Company stations index Nos. 1 to 8 inclusive, and 27 to 50 inclusive, as follows:

1	2	3	4	5	6	classes
42	37	29	19½	18	15	cents per 100 pounds,

minimum charge forty-two cents (\$0.42); and The Delaware and Hudson Company stations index Nos. 9 to 24 inclusive, as follows:

1	2	3	4	5	6	classes
47	40	31	22	19½	16	cents per 100 pounds,

minimum charge forty-seven cents (\$0.47); and The Delaware and Hudson Company stations index Nos. 25 and 26, as follows:

1	2	3	4	5	6	classes
53	45½	36	26	23	19	cents per 100 pounds,

minimum charge fifty-three cents (\$0.53); provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 1490, and posted at stations giving three days' notice of the change in rates. Such tariff to provide on its title page that it will become effective on the opening of navigation on the Hudson river, the effective date to be specified by supplement to be filed with this Commission and posted at stations one day in advance; and it is further

Ordered: That such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 258, of date March 19, 1908."

No. 259; March 19, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 3504, to change the originating point from Williamson, N. Y., to Williamstown, N. Y.; provided that such reissue shall be filed with this Commission under P. S. C., 2 N. Y., No. 3564, superseding P. S. C., 2 N. Y., No. 3504, and posted at stations at least fifteen days prior to its effective date, April 10, 1908. Such tariff shall be so filed and posted within ten

days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 259, of date March 19, 1908."

No. 260; March 21, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with the Citizens Steamboat Company and the Hudson Navigation Company, be and is hereby authorized to establish joint rates of passenger fares, such fares not to exceed the sum of the local fare from the various stations on The Delaware and Hudson Company's line to Albany or Troy, and one dollar and fifty cents (\$1.50) from Troy, N. Y., in connection with the Citizens Steamboat Company, and from Albany, N. Y., in connection with the Hudson Navigation Company (Peoples Line Steamers); provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 53, and posted at stations at least five days prior to the effective date. Such tariff shall be so filed and posted within five days from the date of this order, and shall bear effective date as of April 1, 1908; also the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 260, of date March 21, 1908."

No. 261; March 21, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to correct rate of six cents (\$0.06) per 100 pounds applying on Lumber and Forest Products now specified in Supplement No. 3 to P. S. C., 2 N. Y., No. 2380, reducing such rate to three cents (\$0.03) per 100 pounds; provided that a tariff making such reduction shall be filed with this Commission under Supplement No. 4 to P. S. C., 2 N. Y., No. 2380, and posted at stations at least fifteen days prior to the effective date. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear effective date of April 10, 1908; also the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 261, of date March 21, 1908."

No. 262; March 21, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with the Hudson Navigation Company and Murray's Line, be and is hereby authorized to restore the joint commodity rates heretofore in effect applying between The Delaware and Hudson Company stations and New York, N. Y. (except P. S. C., 2 N. Y., No. 724), which rates were suspended until further notice account of close of navigation on the Hudson river, the schedules containing such rates being D. & H. Company tariffs P. S. C., 2 N. Y., Nos. 1370 and 1373, of date December 12 and 16, 1907; provided that a notice of such restoration be issued as an amendment to each of the schedules affected and as canceling conflicting portions of tariffs P. S. C., 2 N. Y., Nos. 1370 and 1375, and is filed with this Commission and posted at stations at least three days in advance of the effective date thereof. Such schedules shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 262, of date March 21, 1908."

No. 263; March 26, 1908; The Champlain Transportation Company:

Ordered: That The Champlain Transportation Company be and is hereby authorized to reestablish the rates heretofore in effect applying between landings on Lake Champlain, which rates were suspended until further notice account of close of navigation December 14, 1907, the schedules containing such rates being Champlain Transportation Company issues bearing P. S. C., 2 N. Y., Nos. 2, 3, 4, 5, 6, and 9; provided that a notice announcing said restoration of rates be issued, filed with this Commission, and posted

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at stations at least fifteen days in advance of the effective date thereof. Such notice shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 263, of date March 26, 1908."

No. 264; March 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special permanent rate of forty cents (\$0.40) per net ton on Marble Waste, carloads, minimum weight 40,000 pounds, from Gouverneur, N. Y., to Norwood, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3604, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 264, of date March 23, 1908."

No. 265; March 26, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with the Murray's Line, be and is hereby authorized to establish class rates of 25, 20, 17, 13, 13, 12 cents per 100 pounds, minimum charge 25 cents (\$0.25), between Mechanicville, N. Y., and New York city, N. Y., and Brooklyn, N. Y., deliveries; provided a schedule naming said rates shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 1490, and posted at stations at least one day prior to the effective date specified in such schedule. Such schedule shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 265, of date March 26, 1908."

No. 266; March 26, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of three cents (\$0.03) per 100 pounds on Wood Pulp Board, carloads, minimum weight as per current Official Classification, supplements thereto and superseding issues thereof; provided that a schedule naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3615, with date of expiration as April 5, 1908, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 266, of date March 26, 1908."

No. 267; March 26, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of seventy cents (\$0.70) per cord on Pulp Wood, carloads, minimum ten (10) cords per car, from White Lake, N. Y., to Tupper Lake Junction, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 3625, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 267, of date March 26, 1908."

No. 268; March 27, 1908; Rutland Railroad Company:

Ordered: That the Rutland Railroad Company be and is hereby authorized to establish class rates per one hundred (100) pounds as follows: First class, fifty-one cents (\$0.51); second class, forty-five cents (\$0.45); third class, thirty-five cents (\$0.35); fourth class, twenty-four cents (\$0.24); fifth class, twenty cents (\$0.20); and sixth class, seventeen cents (\$0.17); to apply from Ogdensburg, N. Y., and its other stations named in application, to New York state deliveries, New York city, Palmer's Dock, Jay Street Terminal, Bush Docks, and Brooklyn, via Rouses Point, N. Y., The Delaware and Hudson Company to Albany, N. Y., and Hudson Navigation Company (Peoples Line Steamers); provided that a tariff naming said rates is filed with this Commission and posted at stations one day in advance of the effective date thereof. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 268, of date March 27, 1908."

No. 269; March 27, 1908; Rutland Railroad Company:

Ordered: That the Rutland Railroad Company be and is hereby authorized to establish class rates per one hundred (100) pounds as follows: Group 1: first class, twenty-eight cents (\$0.28); second class, twenty-four cents (\$0.24); rule twenty-five, twenty-one cents (\$0.21); third class, twenty-one cents (\$0.21); rule twenty-six, seventeen cents (\$0.17); fourth class, sixteen cents, (\$0.16); fifth class, fifteen cents (\$0.15); sixth class, fourteen cents (\$0.14); Group 2: first class, twenty-eight cents (\$0.28); second class, twenty-four cents (\$0.24); rule twenty-five, twenty-one cents (\$0.21); third class, twenty-one cents (\$0.21); rule twenty-six, seventeen cents (\$0.17); fourth class, sixteen cents (\$0.16); fifth class, fifteen cents (\$0.15); and sixth class, twelve cents (\$0.12); group one rates to apply from Peterburgh Junction, N. Y., and other stations named in application and which are intermediate to and include Rayville, N. Y.; group two rates to apply from Old Chatham, N. Y., to New York city, Pier 43, North River, via Chatham, N. Y., Boston and Albany Railroad Company, Hudson, N. Y., and New York and Hudson Steamboat Company; provided that a tariff naming said rates is filed with this Commission and posted at stations one day in advance of the effective date thereof. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 269, of date March 27, 1908."

No. 270; March 27, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish special club car service upon payment of monthly charge of two hundred and fifty dollars (\$250.00) and the purchase of not less than twenty-five (25) monthly commutation tickets between Long Island City, N. Y., and either of the stations named in the application, each occupant of such club car on each trip to pay regular cash fare or surrender ticket good for his transportation, such cars to be transported on regular trains between Long Island City, N. Y., and Roslyn, N. Y., and other points named in application one round trip daily except Sundays and legal holidays; provided that a tariff naming said rates shall be filed with this Commission under P. S. C. 2 N. Y., No. 44, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 270, of date March 27, 1908."

No. 271; March 27, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish special permanent rates as named in application on

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Manure, carloads, minimum weight 44,000 pounds, from Blissville Docks, N. Y., East New York, N. Y., and Bushwick, N. Y., and from Norwood, N. Y., Brentwood, N. Y., and Huntington, N. Y., to Long Island City, N. Y., and other stations named in application; provided a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., Nos. 149 and 150, respectively, and posted at stations at least three days prior to the effective date specified in such tariffs. Such tariffs shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 271, of date March 27, 1908."

No. 272; March 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with The Delaware and Hudson Company, be and is hereby authorized to establish special permanent rate of ninety cents (\$0.90) per net ton on Crushed Stone, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Little Falls, N. Y., to Oneonta, N. Y., via Schenectady, N. Y., and The Delaware and Hudson Company; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3614, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 272, of date March 27, 1908."

No. 273; March 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special permanent rate of fifty cents (\$0.50) per gross ton on Limestone or Fluxing Stone, carloads, minimum weight marked capacity of car, but not less than twenty (20) gross tons, from Richville, N. Y., to Dexter, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 3621, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 273, of date March 27, 1908."

No. 274; March 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Newton Falls and Northern Railroad, and Williams Line, be and is hereby authorized to establish special permanent rates on Soft Wood Lumber, Lath, and Shingles, carloads, minimum weight thirty-five thousand (35,000) pounds, except when capacity of car is less, when actual weight will be charged for, but in no case less than thirty thousand (30,000) pounds, from stations on the N. Y. C. & H. R. R. and Newton Falls and Northern railroad to New York, N. Y., and other stations named in application; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 3505, and posted at stations at least fifteen days prior to its effective date (April 15, 1908). Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 274, of date March 27, 1908."

No. 275; March 30, 1908; United States Express Company:

Ordered: That the United States Express Company be and is hereby authorized to establish permanent local and joint merchandise and com-

mmodity rates to apply between offices opened on the line of the Oneonta and Mohawk Valley railroad and other United States Express local and common point offices in the State of New York, such new offices and rates to be as named in schedules accompanying and made a part of the application; provided the tariffs naming said rates shall be filed with this Commission under proper P. S. C., 2 N. Y., numbers, and posted at offices as required by law at least three days in advance of the effective date specified in such tariffs. Such tariffs shall be so published, filed, and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 275, of date March 30, 1908."

No. 276; March 30, 1908; Oneonta and Mohawk Valley Railroad Company:

Ordered: That the Oneonta and Mohawk Valley Railroad Company be and is hereby authorized to cancel local freight and express tariffs and express classification P. S. C., 2 N. Y., Nos. three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), and nineteen (19), and to issue a local freight tariff establishing class rates subject to the current Official Classification, supplements thereto and superseding issues thereof; also to supplement local passenger tariff P. S. C., 2 N. Y., No. 6, and establish rates for corpse and baggage transportation; the rates, stations applying between, and the P. S. C., 2 N. Y., numbers of schedules in which they are to be published to be as named in the application; provided that tariffs naming said rates shall be filed with this Commission and posted at stations at least three days in advance of the effective date specified in such schedules. Such tariffs shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 276, of date March 30, 1908."

No. 277; March 31, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to put in effect a tariff to provide that switching charges of connecting lines at Rochester, N. Y., will be absorbed as follows: On all freight, except Coal, Coke, Live Stock, or Dressed Meats, in lots of ten thousand (10,000) pounds or more, and when minimum revenue is fifteen dollars (\$15.00) per car, maximum switching charge of three dollars and fifty cents (\$3.50) per car will be absorbed; and when in lots of ten thousand (10,000) pounds or more and minimum revenue is twenty dollars (\$20.00), maximum switching charge of seven dollars (\$7.00) per car will be absorbed; and on Fresh Dressed Meats, carloads, maximum switching charge of three dollars and fifty cents (\$3.50) per car will be absorbed; provided that a tariff making such provision shall be filed with this Commission under Supplement No. 8 to P. S. C., 2 N. Y., No. 2703, and posted at stations at least one day prior to the effective date specified therein. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 277, of date March 31, 1908."

No. 278; March 31, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to put in effect a tariff to provide that switching charges of connecting lines at Rochester, N. Y., will be absorbed as follows: On all freight, except Coal, Coke, Live Stock, or Dressed Meats, in lots of ten thousand (10,000) pounds or more, and when minimum revenue is fifteen dollars (\$15.00) per car, maximum switching charge of three dollars and fifty cents (\$3.50) per car will be absorbed; and when in lots of ten thousand (10,000) pounds or more and minimum revenue is

twenty dollars (\$20.00) per car, maximum switching charge of seven dollars (\$7.00) per car will be absorbed; and on Fresh Dressed Meats, carloads, maximum switching charge of three dollars and fifty cents (\$3.50) per car will be absorbed; provided that a tariff making such provision shall be filed with this Commission under Supplement No. 8 to P. S. C., 2 N. Y., No. 512, and posted at stations at least one day prior to the effective date specified therein. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 278, of date March 31, 1908."

No. 279; March 31, 1908; Hudson Navigation Company:

Ordered: That the Hudson Navigation Company be and is hereby authorized to establish via Peoples Line first and second class one-way passenger fares and first class round-trip passenger fares as follows: Between New York, N. Y., and Troy, N. Y., first class, one way, one dollar and fifty cents (\$1.50); and round trip, three dollars (\$3.00); and second class, one way, one dollar (\$1.00); and it is further

Ordered: That the Hudson Navigation Company be and is hereby authorized to establish via Citizens Line first and second class one-way passenger fares and first class round-trip passenger fares as follows: Between New York, N. Y., and Troy, N. Y., first class, one way, one dollar and fifty cents (\$1.50); and round trip, two dollars and fifty cents (\$2.50); and second class, one way, one dollar (\$1.00); to be used in connection with through rates via various all rail lines named in application; provided that a tariff is filed with this Commission under P. S. C., 2 N. Y., No. 1, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 279, of date March 31, 1908."

No. 280; April 1, 1908; Buffalo and Lake Erie Traction Company:

Ordered: That the Buffalo and Lake Erie Traction Company be and is hereby authorized to establish special one-way passenger fare of ten cents (\$0.10) between Fredonia, N. Y., and Lamberton, N. Y.; also to establish the following commutation ticket book rates for fifty-four (54) trip commutation tickets, books good for thirty (30) days from the date of sale: Between Fredonia, N. Y., and Brocton, N. Y., at rate of five dollars (\$5.00) per book; and between Fredonia, N. Y., and Lamberton, N. Y., at rate of two dollars and seventy-five cents (\$2.75) per book; provided that a tariff naming said fares shall be filed with this Commission under P. S. C., 2 N. Y., No. 2, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 280, of date April 1, 1908."

No. 281; April 1, 1908; Syracuse Rapid Transit Railway Company:

Ordered: That the Syracuse Rapid Transit Railway Company be and is hereby authorized to establish special class rates as named in the application to apply between Syracuse, N. Y., and various other stations named in application and Eastwood, N. Y.; also to establish on Ferry Car Service between Syracuse, N. Y., and Eastwood, N. Y., a rate of two dollars (\$2.00) for each trip for two thousand five hundred (2,500) pounds, and for over two thousand five hundred (2,500) pounds eight cents (\$0.08) per one hundred (100) pounds; provided that a tariff naming said rates shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 1, and posted at stations at least two days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 281, of date April 1, 1908."

No. 282; April 2, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special switching charge at Penn Yan, N. Y., of three dollars and fifty cents (\$3.50) per car for movement of loaded cars from one point within station limits to another point within station limits; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3617, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 282, of date April 2, 1908."

No. 283; April 2, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rate of thirty-five cents (\$0.35) per net ton on Sand, carloads, minimum weight marked capacity of car, but not less than twenty (20) net tons, from Attica, N. Y., to Buffalo, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 892, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 283, of date April 2, 1908."

No. 284; April 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as named in application on less carload and carload shipments of Castings, iron and steel, in the rough, from Massena Springs, N. Y., to Norwood, N. Y., and other stations named in application; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 3680, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 284, of date April 7, 1908."

No. 285; April 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish switching charge of four dollars and fifty cents (\$4.50) per car on all carload freight, except coal and coke, from private sidings adjoining the tracks of the N. Y. C. & H. R. R. R. located between Main street and Seneca street, Buffalo, N. Y., to East Buffalo, N. Y., on shipments consigned for delivery on connecting railroads in the city of Buffalo, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 7 to P. S. C., 2 N. Y., No. 1097, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 285, of date April 7, 1908."

No. 286; April 7, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to establish switching charge of four dollars and fifty cents (\$4.50) per car on all carload freight, except coal and coke, from private sidings adjoining the tracks of the West Shore Railroad between Main street and Seneca street, Buffalo, N. Y., to East Buffalo,

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N. Y., on shipments consigned for delivery on connecting railroads in the city of Buffalo, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 7 to P. S. C., 2 N. Y., No. 265, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 286, of date April 7, 1908."

No. 287; April 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish special rate of twenty-three cents (\$0.23) per can of forty (40) quarts, on Fluid Milk, any quantity, from Fernwood, N. Y., to Pulaski, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3678, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 287, of date April 7, 1908."

No. 288; April 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish switching charge of three dollars and fifty cents (\$3.50) per car for movement of loaded cars from one point within station limits to another point within station limits at Brownville, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3689, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 288, of date April 7, 1908."

No. 289; April 9, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish the following class rates: Between New York, N. Y., and Brooklyn, N. Y., and stations north on Hudson division to Castleton, N. Y., inclusive; stations on Harlem division, Mt. Vernon, N. Y., and south, and stations on Putnam division, Nepperhan, N. Y., and south, and stations on the Adirondack division, Amos Siding, N. Y., to and including White Lake, N. Y.: First class, forty-eight cents (\$0.48); second class, forty cents (\$0.40); third class, thirty-three cents (\$0.33); fourth class, twenty-four cents (\$0.24); fifth class, twenty cents (\$0.20); sixth class, fifteen cents (\$0.15); and Otter Lake, N. Y., and McKeever, N. Y.: first class, fifty cents (\$0.50); second class, forty-three cents (\$0.43); third class, thirty-three cents (\$0.33); fourth class, twenty-four cents (\$0.24); fifth class, twenty cents (\$0.20); sixth class, fifteen cents (\$0.15); and stations Minnehaha, N. Y., to and including Plumadore, N. Y.: first class, fifty cents (\$0.50); second class, forty-three cents (\$0.43); third class, thirty-three cents (\$0.33); fourth class, twenty-four cents (\$0.24); fifth class, twenty cents (\$0.20); sixth class, seventeen cents (\$0.17); and stations Bryant Siding, N. Y., to and including Whippleville, N. Y.: first class, fifty-one cents (\$0.51); second class, forty-five cents (\$0.45); third class, thirty-five cents (\$0.35); fourth class, twenty-four cents (\$0.24); fifth class, twenty cents (\$0.20); sixth class, seventeen cents (\$0.17); and between stations on Mohawk division, Rensselaer, N. Y., and Troy, N. Y., to and including Frankfort, N. Y., and Adirondack division stations Minnehaha, N. Y., to Whippleville, N. Y., inclusive: first class,

fifty cents (\$0.50); second class, forty cents (\$0.40); third class, thirty-three cents (\$0.33); fourth class, twenty-four cents (\$0.24); fifth class, seventeen cents (\$0.17); sixth class, fifteen cents (\$0.15); provided that a tariff naming said rates shall be filed with this Commission and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 289, of date April 9, 1908."

No. 290; April 9, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with The Delaware and Hudson Company, be and is hereby authorized to establish the following class rates from New York, N. Y., and Brooklyn, N. Y., stations, and stations north on Hudson division to and including Castleton, N. Y.; stations on Harlem division, Mt. Vernon, N. Y., and south, and stations on Putnam division, Nepperhan, N. Y., and south, to Raybrook, N. Y., and Lake Placid, N. Y., via Saranac Lake, N. Y., and The Delaware and Hudson Company: First class, fifty-six cents (\$0.56); second class, forty-eight and one-half cents (\$0.48½); third class, thirty-eight cents (\$0.38); fourth class, twenty-eight cents (\$0.28); fifth class, twenty-four cents (\$0.24); sixth class, twenty cents (\$0.20) per one hundred (100) pounds; provided that a tariff naming said rates shall be filed with this Commission and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 290, of date April 9, 1908."

No. 291; April 9, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), in connection with The New York Central and Hudson River Railroad Company, and The Delaware and Hudson Company, be and is hereby authorized to establish the following class rates from stations on the River division, Tappan, N. Y., to and including New Baltimore, N. Y., to Raybrook, N. Y., and Lake Placid, N. Y., via Utica, N. Y., N. Y. C. & H. R. R. R., Saranac Lake, N. Y., and The Delaware and Hudson Company: First class, fifty-six cents (\$0.56); second class, forty-eight and one-half cents (\$0.48½); third class, thirty-eight cents (\$0.38); fourth class, twenty-eight cents (\$0.28); fifth class, twenty-four cents (\$0.24); sixth class, twenty cents (\$0.20) per one hundred (100) pounds; provided that a tariff naming said rates shall be filed with this Commission and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 291, of date April 9, 1908."

No. 292; April 9, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Raquette Lake railway, be and is hereby authorized to establish class rates as specified in the application between various stations on the N. Y. C. & H. R. R. and various stations on the Raquette Lake railway as named in application; provided that a tariff naming said rates shall be filed with this Commission and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 292, of date April 9, 1908."

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No. 293; April 9, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish the following class rates: Between stations on the River division, Tappan, N. Y., to and including New Baltimore, N. Y. (via Utica, N. Y.), and stations on the Adirondack division, Amos Siding, N. Y., to and including White Lake, N. Y.; First class, forty-eight cents (\$0.48); second class, forty cents (\$0.40); third class, thirty-three cents (\$0.33); fourth class, twenty-four cents (\$0.24); fifth class, twenty cents (\$0.20); sixth class, fifteen cents (\$0.15); and Otter Lake, N. Y., and McKeever, N. Y.: first class, fifty cents (\$0.50); second class, forty-three cents (\$0.43); third class, thirty-three cents (\$0.33); fourth class, twenty-four cents (\$0.24); fifth class, twenty cents (\$0.20); sixth class, fifteen cents (\$0.15); and stations Minnehaha, N. Y., to and including Plumadore, N. Y.: first class, fifty cents (\$0.50); second class, forty-three cents (\$0.43); third class, thirty-three cents (\$0.33); fourth class, twenty-four cents (\$0.24); fifth class, twenty cents (\$0.20); sixth class, seventeen cents, (\$0.17); and stations Bryant Siding, N. Y., to and including Whippleville, N. Y.: first class, fifty-one cents (\$0.51); second class, forty-five cents (\$0.45); third class, thirty-five cents (\$0.35); fourth class, twenty-four cents \$0.24); fifth class, twenty cents (\$0.20); sixth class, seventeen cents (\$0.17); and between stations on Mohawk division, Ravana, N. Y., to Albany, N. Y., inclusive, and South Bethlehem, N. Y., to and including Utica (Genesee street), N. Y., and Adirondack division stations Minnehaha, N. Y., to and including Whippleville, N. Y.: first class, fifty cents (\$0.50); second class, forty cents (\$0.40); third class, thirty-three cents (\$0.33); fourth class, twenty-four cents (\$0.24); fifth class, seventeen cents (\$0.17); sixth class, fifteen cents (\$0.15); provided that a tariff naming said rates shall be filed with this Commission and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 293, of date April 9, 1908."

No. 294; April 9, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), in connection with the New York Central & Hudson River railroad, and the Raquette Lake railway, be and is hereby authorized to establish class rates as specified in application to apply between stations on the River division of the West Shore Railroad, Tappan, N. Y., to and including New Baltimore, N. Y., and stations on Raquette Lake railway as named in application; also between stations on Mohawk division of the West Shore Railroad, Ravana, N. Y., to Albany, inclusive, and South Bethlehem, N. Y., to Utica (Genesee street), N. Y., inclusive, and stations on Raquette Lake railway as named in application; provided that a tariff naming said rates shall be filed with this Commission and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 294, of date April 9, 1908."

No. 295; April 14, 1908; The Lake Shore and Michigan Southern Railway Company:

Ordered: That The Lake Shore and Michigan Southern Railway Company be and is hereby authorized to establish rates between Buffalo, N. Y., and Brocton, N. Y., and intermediate stations as named in application, and reissue its tariff P. S. C., 2 N. Y., No. 60, naming such other rates as are now contained therein, except that the rates applying from and to inter-

mediate points are not to be higher than rates named applying from and to Buffalo, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 76, and posted at stations at least five days prior to the effective date, April 22, 1908, to be specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 295, of date April 14, 1908."

No. 296; April 10, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to reissue the rates named in Local Freight Tariff P. S. C., 2 N. Y., No. 3674, effective May 4, 1908, applying upon Paper (Tissue, Toilet, Printing, and Wrapping), carloads and less carloads, from Harrisville, N. Y., to Carthage, N. Y., when for local delivery or when destined to points beyond; and establish rates of three cents (\$0.03) per one hundred (100) pounds less carloads, and one cent (\$0.01) per one hundred (100) pounds carloads, subject to the minimum weight, rules, and regulations of the current Official Classification, and supplements thereto or superseding issues thereof, to apply on such traffic when destined to points beyond Carthage, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3690, and posted at stations at least thirty (30) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 296, of date April 10, 1908."

No. 297; April 14, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish between Salisbury Center, N. Y., and other local stations, one-way and round-trip passenger fares as follows: Between Salisbury Center, N. Y., and Little Falls, N. Y., one way, fifty-five cents (\$0.55), round trip, one dollar (\$1.00); between Salisbury Center, N. Y., and Inghams, N. Y., one way, thirty-five cents (\$0.35), round trip, seventy cents (\$0.70); between Salisbury Center, N. Y., and Dolgeville, N. Y., one way, ten cents (\$0.10), round trip, twenty cents (\$0.20); and between Main street, Dolgeville, N. Y., and Depot, Dolgeville, N. Y., one way, five cents (\$0.05); provided that a tariff naming such rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 297, of date April 14, 1908."

No. 298; April 14, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish local freight class rates between Salisbury Center, N. Y., and Little Falls, N. Y., as follows: First class, twelve cents (\$0.12); second class, twelve cents (\$0.12); third class, ten cents (\$0.10); fourth class, ten cents (\$0.10); fifth class, seven and one-half cents (\$0.07½), and sixth class, seven and one-half cents (\$0.07½); provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 54, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 298, of date April 14, 1908."

No. 299; April 14, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish local freight class rates between Salisbury Center, N. Y., and Dolgeville, N. Y., as follows: First class, four cents (\$0.04); second class, four cents (\$0.04); third class, four cents (\$0.04); fourth class, three cents (\$0.03); fifth class, three cents (\$0.03), and sixth class, two cents (\$0.02); provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 53, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 299, of date April 14, 1908."

No. 300; April 14, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish rate of one dollar and twenty-five cents (\$1.25) per net ton on Anthracite Coal, carloads, from Little Falls, N. Y., to Salisbury Center, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 56, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 300, of date April 14, 1908."

No. 301; April 14, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish rates as named in application to apply on shipments of Box Shooks, Lumber, Lime, Cement, Brick, Feed, Corn, and Wood Shingles, carloads, minimum weight as per Official Classification, from Little Falls, N. Y., to Salisbury Center, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 55, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 301, of date April 14, 1908."

No. 302; April 14, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish rate of four cents per one hundred (100) pounds on Box Shooks and Lumber, carloads, minimum weight as per Official Classification, from Salisbury Center, N. Y., to Little Falls, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 52, and posted at stations at least one day prior to the effective date of such tariff. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 302, of date April 14, 1908."

No. 303; April 14, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish rate of twenty-five cents (\$0.25) per gross ton on Iron Ore, carloads, minimum weight as per Official Classification, from Salisbury Center, N. Y., to Little Falls, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 51, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 303, of date April 14, 1908."

No. 304; April 14, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish rate of nine cents (\$0.09) per one hundred (100) pounds on Apples and various other commodities named in application, less carloads, from Little Falls, N. Y., to Salisbury Center, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 57, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 304, of date April 14, 1908."

No. 305; April 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of twenty-three cents (\$0.23) per can on Milk in forty-(40) quart cans, and rate of forty-one cents (\$0.41) per can on Cream in forty-(40) quart cans, minimum charge in each case twenty-five cents (\$0.25), from Poland, N. Y., Gravesville, N. Y., and Prospect Junction, N. Y., to Remsen, N. Y., shipments to be handled in milk trains, the above rates to include return of empty cans; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3738, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 305, of date April 15, 1908."

No. 306; April 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of twenty cents (\$0.20) per net ton on Crushed Stone and Cinders, carloads, minimum weight 60,000 lbs., from Solvay, N. Y., to State Fair Grounds, Syracuse, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3694, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 306, of date April 15, 1908."

No. 307; April 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of four cents (\$0.04) per one hundred (100) pounds, carloads, and rate of ten cents (\$0.10) per one hundred (100) pounds, less carloads, on Marble, Rough Quarried, value restricted to twenty cents (\$0.20) per cubic foot, and Marble, Chiseled, Polished, Dressed, Sawed, or Hammered, value restricted to forty cents (\$0.40) per cubic foot; from Gouverneur, N. Y., to Norwood, N. Y., Canton, N. Y., and Potsdam, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3747, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 307, of date April 15, 1908."

No. 308; April 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as named in application

on Marble, Rough Quarried, value restricted to twenty cents (\$0.20) per cubic foot, and on Marble, Chiseled, Polished, Dressed, Sawed, or Hammered, value restricted to forty cents (\$0.40) per cubic foot, carloads and less car-loads, from Gouverneur, N. Y., to Massena Springs, N. Y., and Cazenovia, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3748, and posted at stations at least five days prior to the effective date, May 2, 1908, specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 308, of date April 15, 1908."

No. 309; April 9, 1908; Boston and Maine Railroad:

Ordered: That the Boston and Maine Railroad be and is hereby authorized to add Logs, Poles (Telephone), Posts, Ties (Railroad), and Timber, sawed, hewed, or round, to list of commodities taking rates on Common Lumber and Telegraph Poles specified on page 6 of P. S. C., 2 N. Y., No. 80; provided that a tariff making such addition shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 80, and posted at stations at least three days prior to the effective date specified in such tariff. Such tariff to be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 309, of date April 9, 1908."

No. 310; April 14, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to extend final return limit on excursion tickets sold to New York city, N. Y., account Democratic State Convention, at rates named in Supplement No. 1 to P. S. C., 2 N. Y., No. 130, from April 16, 1908, to and including April 18, 1908; provided that a tariff making such extension shall be filed with this Commission under Supplement No. 3 to P. S. C., 2 N. Y., No. 130, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within three days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 310, of date April 14, 1908."

No. 311; April 16, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of twenty cents (\$0.20) per one hundred (100) pounds, less carloads, and nine cents (\$0.09) per one hundred (100) pounds, carloads, minimum weight as per Official Classification, on Paper (Printing, Toilet, and Wrapping) and Paper Bags, from Watertown, N. Y., and Brownville, N. Y., to Barnard, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3749, and posted at stations at least one (1) day prior to the effective date specified in such tariff. It is further

Ordered: That the tariff naming said rates shall specify that it expires at midnight, May 10, 1908, and that future rates will be found in tariff P. S. C., 2 N. Y., No. 3698, of date April 9, 1908, effective May 11, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 311, of date April 16, 1908."

No. 312; April 16, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to establish rate of seventeen cents (\$0.17)

per net ton on Crushed Stone, Trap Rock, Mine Rock, and Broken Stone, car-loads, minimum weight twenty-five (25) net tons, except when capacity of car is less, in which case capacity of car will govern, but in no case shall the minimum be less than twenty (20) net tons, from Syracuse, N. Y., (Rock Cut switch) to Syracuse, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 442, and posted at stations at least one day prior to the effective date, April 20, 1908, to be specified in such tariff. Such tariff shall be so filed and posted within three days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 312, of date April 16, 1908."

No. 313; April 17, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to publish a local and joint passenger tariff establishing fares for a series of special Sunday, Holiday, Week-end, and other short-limit excursions, to apply between certain specified stations on the New York Central and Hudson River railroad; also from certain stations on the New York Central and Hudson River railroad to stations of connecting and participating carriers; no one excursion to provide for a longer return limit than ten (10) days; provided that a tariff naming said fares shall be filed with this Commission under P. S. C., 2 N. Y., No. 141, and posted at stations at least three (3) days prior to the effective date, to be specified therein as May 1, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 313, of date April 17, 1908."

No. 314; April 17, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of five cents (\$0.05) per one hundred (100) pounds to apply on shipments of Old Lumber and Second-hand Machinery, in straight or mixed carloads, minimum weight as per Official Classification, and supplements thereto or superseding issues thereof, from Watertown, N. Y., to Gouverneur, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3758, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 314, of date April 17, 1908."

No. 315; April 17, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to publish a local and joint passenger tariff establishing fares for a series of special Sunday, Holiday, Week-end, and other short-limit excursions, to apply between certain specified stations on the West Shore railroad to stations of connecting and participating carriers, no one excursion to provide for a longer return limit than ten (10) days; provided that a tariff naming said fares shall be filed with this Commission under P. S. C., 2 N. Y., No. 62, and posted at stations at least three (3) days prior to the effective date, to be specified therein as May 1, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 315, of date April 17, 1908."

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No. 316; April 21, 1908; The New York Central and Hudson River Railroad Company:

It appearing to the Commission that the application of The New York Central and Hudson River Railroad Company of date April 10, 1908, and upon which special permission order No. 306, of date April 15, 1908, was granted, contained erroneous statements of fact and was made under misapprehension; it is

Ordered: That the said special permission order No. 306 be and is hereby vacated and set aside, and that The New York Central and Hudson River Railroad Company's tariff P. S. C., 2 N. Y., No. 3694, issued April 16, 1908, effective April 20, 1908, established under said special permission order No. 306, shall be forthwith canceled, such cancellation to take effect April 23, 1908. Such cancellation to be by supplement, and to be filed and posted within one day from the date of this order and bear the following notation: "Issued under special permission and direction of the Public Service Commission, Second District, State of New York, No. 316, of date April 21, 1908."

No. 317; April 21, 1908; Murray's Line:

Ordered: That the Murray's Line, in connection with the Boston and Maine Railroad, be and is hereby authorized to establish class rates as specified in Boston and Maine Railroad's tariff P. S. C., 2 N. Y., No. 165, to apply on shipments from New York, N. Y., to points on the Boston and Maine railroad as specified in said tariff; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 1, and posted at stations at least three (3) days prior to the effective date to be specified therein as April 30, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 317, of date April 21, 1908."

No. 318; April 21, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rate of seventy-five cents (\$0.75) per net ton on Crushed Stone, carloads, minimum weight as per Official Classification, and supplements thereto and subsequent issues thereof, from Mount Ivy, N. Y., to Pine Bush, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 3 to P. S. C., 2 N. Y., No. 845, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 318, of date April 21, 1908."

No. 319; April 21, 1908; Jamestown, Chautauqua and Lake Erie Railway Company:

Ordered: That the Jamestown, Chautauqua and Lake Erie Railway Company be and is hereby authorized to establish rate of twenty cents (\$0.20) per net ton on Manure, carloads, minimum weight 50,000 pounds, from Westfield, N. Y., to Nixon, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 40, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 319, of date April 21, 1908."

No. 320; April 21, 1908; Jamestown, Chautauqua and Lake Erie Railway Company:

Ordered: That the Jamestown, Chautauqua and Lake Erie Railway Company be and is hereby authorized to establish rate of twenty cents (\$0.20) per net ton to apply on shipments of Ice, carloads, minimum weight 50,000

pounds, from Bonita, N. Y., and Lakewood Ice-Switch, N. Y., to Jamestown, N. Y.; provided that a tariff naming said rate shall be filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 320, of date April 21, 1908."

No. 321; April 22, 1908; West Shore Railroad (N. Y. C. & H. R. R. R. Co. Lessee):

Upon application of the West Shore Railroad (N. Y. C. & H. R. R. R. Co. Lessee) filed April 18, 1908, in which it appears that rates applying upon shipments of Manure, in carloads, from Coxsackie, N. Y., to various other of its stations, had been established upon statutory notice to be effective May 14, 1908; and that on account of the early opening of the spring farm work, patrons need such commodity for immediate use, and for other good cause shown, it is

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to issue a tariff under P. S. C., 2 N. Y., No. 921, naming the rates, carload capacity, and other conditions as now contained in its tariff P. S. C., 2 N. Y., No. 907, applying on shipments of Manure, in carloads, from Coxsackie, N. Y., to such other of its New York state stations as the transportation of traffic between would be under the jurisdiction of this Commission; provided that a tariff naming said rates shall be filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. This order also includes authority to cancel, by supplement issue, its tariff P. S. C., 2 N. Y., No. 907, on its effective date, May 14, 1908, such cancellation supplement to state that future rates will be as shown in tariff P. S. C., 2 N. Y., No. 921, and shall be filed with this Commission and posted at stations at least three (3) days prior to May 14, 1908. Such tariff and supplement shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 321, of date April 22, 1908."

No. 322; April 24, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to issue a supplement to its tariff P. S. C., 2 N. Y., No. 339, changing the wording under heading "Territory Applicable to" to read "Also to Western Points in the United States, and Points in Canada . . ."; provided that a tariff making such change shall be filed with this Commission under Supplement No. 16 to P. S. C., 2 N. Y., No. 339, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 322, of date April 24, 1908."

No. 323; April 24, 1908; Western New York and Pennsylvania Traction Company:

Ordered: That the Western New York and Pennsylvania Traction Company be and is hereby authorized to issue Official Classification No. 31, and Supplement No. 6 thereto; provided that such a schedule is filed with this Commission under P. S. C., 2 N. Y., No. 34, and posted at stations at least three (3) days prior to the effective date to be specified therein as May 1, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 323, of date April 24, 1908."

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No. 324; April 25, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of thirty-five dollars (\$35.00) each on Locomotives, set up, not under steam and moved on own wheels, from Rome, N. Y., to Carthage, N. Y.; provided that a tariff naming said rate shall be filed with this Commission and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 324, of date April 25, 1908."

No. 325; April 25, 1908; The New York Central and Hudson River Railroad Company:

Upon application of The New York Central and Hudson River Railroad Company filed April 20, 1908, from which it appears that a necessity exists for a change in station names and of certain class rates now in effect as applying between Rome, N. Y., Syracuse, N. Y., and a number of stations on the R. W. & O. division in order that they may not exceed combined rates via routes by which lower rates are in effect; also that certain rates should be withdrawn between certain stations and between which very high rates apply, but are not now used as traffic moves via direct route and at lower rates, and upon other good cause being shown for such changes; it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a supplement to its tariff P. S. C., 2 N. Y., No. 2737, and make such changes in its present existing rates as is desired and set forth in its application, as follows: Change in names of stations; change in class rates between Rome, N. Y., Syracuse, N. Y., and stations named in application; withdrawal of rates between Utica, N. Y., and Rome, N. Y., Syracuse, N. Y., Charlotte, N. Y., Suspension Bridge, N. Y.; between Rome, N. Y., and Syracuse, N. Y., Charlotte, N. Y., Suspension Bridge, N. Y.; between Syracuse, N. Y., and Charlotte, N. Y., and Suspension Bridge, N. Y.; provided that a supplement to its tariff P. S. C., 2 N. Y., No. 2737, naming such changes and rates shall be filed with this Commission and posted at stations at least one day prior to the effective date to be specified in such schedule. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 325, of date April 25, 1908."

No. 326; April 27, 1908; Pere Marquette Railroad Company:

Ordered: That the Pere Marquette Railroad Company be and is hereby authorized to establish at Buffalo, N. Y., Black Rock, N. Y., and Suspension Bridge, N. Y., car demurrage rules as specified in application; provided that a tariff naming said rules shall be filed with this Commission under P. S. C., 2 N. Y., No. 1, and posted at stations at least one (1) day prior to the effective date to be specified therein as May 1, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 326, of date April 27, 1908."

No. 327; April 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of twenty-five cents (\$0.25) per net ton to apply on Lumber, in carloads, minimum weight twenty (20) net tons, from McKeever, N. Y., to Otter, N. Y., and White Lake, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 3306, and posted at stations

at least one (1) day prior to the effective date specified therein. Said supplement shall be issued to cancel on May 11, 1908, Supplement No. 1 to P. S. C., 2 N. Y., No. 3306, and shall so state. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 327, of date April 28, 1908."

No. 328; April 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of \$1.70 per net ton to apply on Cement (Common, Hydraulic, Natural, or Portland), carloads, minimum weight 50,000 pounds, except when capacity of car is less, in which case the actual capacity of car will govern, but in no case shall the minimum carload weight be less than 40,000 pounds, from Hudson, N. Y., to Niagara Falls, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 3685, and posted at stations at least ten (10) days prior to the effective date to be specified therein as May 11, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 328, of date April 28, 1908."

No. 329; April 29, 1908; Catskill Mountain Railway Company:

Upon application of the Catskill Mountain Railway Company filed April 28, 1908, it appearing that on account of its railroad not being in operation during certain winter months no tariff of freight rates is now in effect; that the public need requires that such rates be put in force, and to meet that need a tariff bearing P. S. C., 2 N. Y., No. 4, containing class and commodity rates between local points was issued on statutory notice, filed, and published as required by law, with an effective date as of May 20, 1908; conditions have now arisen by which the rates named in such tariff are needed for immediate use; it is, therefore

Ordered: That the Catskill Mountain Railway Company be and is hereby authorized to put in force May 4, 1908, the class and commodity rates named in its tariff P. S. C., 2 N. Y., No. 4, applying between Catskill, N. Y., and Lawrenceville, N. Y., M. H. Road, N. Y., Otis Junction, N. Y., and Palenville, N. Y.; provided that a schedule making such provision shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 4, and posted at stations at least one day prior to the effective date to be specified therein as May 4, 1908. Such tariff shall be so filed and posted within three days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 329, of date April 29, 1908."

No. 330; April 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as named in application to apply upon shipments of Wall Plaster, carloads, minimum weight as per Official Classification, from New York city, N. Y., including lighterage, to Amawalk, N. Y., and various other stations as named in application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3821, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 330, of date April 28, 1908."

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No. 331; April 28, 1908; Catskill Mountain Railway Company:

Ordered: That the Catskill Mountain Railway Company, in connection with the Otis Railway Company, Catskill and Tannersville Railway Company, and Catskill and New York Steamboat Company, Limited, be and is hereby authorized to establish class rates as specified in application to apply between New York, N. Y., and Otis Summit, N. Y., Antlers, N. Y., Laurel House Station, N. Y., Haines Corners, N. Y., and Tannersville, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 7, and posted at stations at least ten (10) days prior to the effective date to be specified therein as May 20, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 331, of date April 28, 1908."

No. 332; April 29, 1908; Catskill Mountain Railway Company:

Upon application of the Catskill Mountain Railway Company filed April 28, 1908, it appearing that on account of its railroad not being in operation during certain winter months no tariff of freight rates is now in effect; that the public need requires that such rates be put in force, and to meet that need a tariff bearing P. S. C., 2 N. Y., No. 5, containing class and commodity rates between the points specified in the tariff was issued on statutory notice, filed, and published as required by law, with an effective date as of May 20, 1908; conditions have now arisen by which the rates named in such tariff are needed for immediate use; it is therefore

Ordered: That the Catskill Mountain Railway Company, in connection with the Otis Railway Company and Catskill and Tannersville Railway Company, be and is hereby authorized to put in force May 4, 1908, the rates as named in its tariff P. S. C., 2 N. Y., No. 5; provided that a schedule making such provision shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 5, and posted at stations at least one (1) day prior to the effective date to be specified therein as May 4, 1908. Such tariff shall be so filed and posted within three (3) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 332, of date April 29, 1908."

No. 333; April 30, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad, in connection with The New York Central and Hudson River Railroad Company and Central New England Railway Company, be and is hereby authorized to change routing shown under Route F on page 6 of P. S. C., 2 N. Y., No. 909, to read as follows: "Via the New York Central and Hudson River railroad, Fishkill Landing, N. Y., and Central New England railway"; provided that a tariff making such change shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 909, and posted at stations at least fifteen (15) days prior to the effective date to be specified therein as June 1, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 333, of date April 30, 1908."

No. 334; April 30, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Central New England Railway Company, be and is hereby authorized to change routing shown under Route E on page 7 of P. S. C., 2 N. Y., No. 3733, to read as follows: "Via Fishkill Landing, N. Y.;" provided that a tariff making such change shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 3733, and

posted at stations at least fifteen (15) days prior to the effective date to be specified therein as June 1, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 334, of date April 30, 1908."

No. 335; May 1, 1908; International Railway Company:

Ordered: That the International Railway Company be and is hereby authorized to establish the following proportional class rates applying between Lockport, N. Y., and Burt, N. Y., Corwin, N. Y., Newfane, N. Y., Olcott, N. Y., and Wrights, N. Y., upon shipments received from or delivered to the Erie railroad at Lockport, N. Y., when coming from or destined to points beyond: First class, twelve cents (\$0.12); second class, eight cents (\$0.08); third class, seven cents (\$0.07); fourth class, five cents (\$0.05); fifth class, four cents (\$0.04); sixth class, two and one-half cents (\$0.02½) per one hundred (100) pounds; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 10, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 335, of date May 1, 1908."

No. 336; May 1, 1908; International Railway Company:

Ordered: That the International Railway Company be and is hereby authorized to establish proportional rate of forty-five cents (\$0.45) per net ton on Coal (Anthracite and Bituminous), carloads, between Lockport, N. Y., and Burt, N. Y., Corwin, N. Y., Newfane, N. Y., Olcott, N. Y., and Wrights, N. Y., to apply on shipments received from or delivered to the Erie railroad at Lockport, N. Y., when coming from or destined to the points beyond; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 9, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 336, of date May 1, 1908."

No. 337; May 4, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of two cents (\$0.02) per one hundred (100) pounds to apply on shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, from Oswegatchie, N. Y., to Harrisville, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3861, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 337, of date May 4, 1908."

No. 338; May 4, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on Cheese, in boxes, any quantity, rate of twelve cents (\$0.12) per one hundred (100) pounds from Parish, N. Y., and Oswego, N. Y., to Boonville, N. Y.; rate of twelve cents (\$0.12) per one hundred (100) pounds from Red Creek, N. Y., and Wolcott, N. Y., to Lowville, N. Y.; and rate of fourteen cents (\$0.14) per one hundred (100) pounds from Sodus, N. Y., to Lowville, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under Supplement No.

1 to P. S. C., 2 N. Y., No. 3697, and posted at stations at least three (3) days prior to the effective date to be specified therein as May 11, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 338, of date May 4, 1908."

No. 339; May 4, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the New York and Ottawa Railway Company, be and is hereby authorized to establish rate of two dollars (\$2.00) per net ton to apply on shipments of Brick (Fire), Clay (Fire), and Sand (Fire), in straight or mixed carloads, minimum weight forty thousand (40,000) pounds, from Troy, N. Y., to St. Regis Falls, N. Y., via Tupper Lake Junction, N. Y., and the New York and Ottawa railway; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3859, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 339, of date May 4, 1908."

No. 340; May 4, 1908; Western New York and Pennsylvania Traction Company:

Ordered: That the Western New York and Pennsylvania Traction Company be and is hereby authorized to establish on Sand, carloads, minimum weight as per Official Classification, rate of forty cents (\$0.40) per net ton from Killbuck, N. Y., to Salamanca, N. Y., and Olean, N. Y.; and rate of sixty cents (\$0.60) per net ton from Killbuck, N. Y., to Bolivar, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 35, and posted at stations at least ten (10) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 340, of date May 4, 1908."

No. 341; May 7, 1908; The New York Central and Hudson River Railroad Company:

Upon application of The New York Central and Hudson River Railroad Company, filed April 30, 1908, and for good cause shown, and without passing upon the legality of the rates involved, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the West Shore Railroad Company (N. Y. C. & H. R. R. Co. Lessee), be and is hereby authorized to establish on Lime, carloads, minimum weight forty thousand (40,000) pounds, rate of eight cents (\$0.08) per one hundred (100) pounds from Natural Bridge, N. Y., to Oneida, N. Y., and rate of eight cents (\$0.08) per one hundred (100) pounds from Natural Bridge, N. Y., to Oneida Castle, N. Y., via West Shore railroad; provided that a tariff naming said rates shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 3557, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 341, of date May 7, 1908."

No. 342; May 5, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as named in application

to apply upon shipments of Tomato Plants, carloads, minimum weight twenty thousand (20,000) pounds, from Lockport, N. Y., and Rochester, N. Y., to Sanborn, N. Y., and other stations as specified in the application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3844, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 342, of date May 5, 1908."

No. 343; May 7, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish rate of thirteen cents (\$0.13) per one hundred (100) pounds to apply on shipments of Potatoes, in bulk, carloads, minimum weight thirty thousand (30,000) pounds, from stations Willsborough, N. Y., to Ausable Forks, N. Y., inclusive; and Beekmantown, N. Y., to Rouses Point, N. Y., inclusive, as specified in tariff P. S. C., 2 N. Y., No. 1228, to Schenectady, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1554, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 343, of date May 7, 1908."

No. 344; May 7, 1908; Jamestown, Chautauqua and Lake Erie Railway Company:

Ordered: That the Jamestown, Chautauqua and Lake Erie Railway Company be and is hereby authorized to change the P. S. C., 2 N. Y., number on its tariff of car service rules and charges now filed as P. S. C., 2 N. Y., No. 41, to read as follows: "P. S. C., 2 N. Y., No. 42"; provided that a tariff making said change shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 41, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 344, of date May 7, 1908."

No. 345; May 11, 1908; New York and Ottawa Railway Company:

Ordered: That the New York and Ottawa Railway Company be and is hereby authorized to establish rate of one dollar (\$1.00) per gross ton to apply on Steel and Iron Rails, carloads, minimum weight 15 gross tons, from Tupper Lake, N. Y., and Tupper Lake Junction, N. Y., to Meno, N. Y., Santa Clara, N. Y., and St. Regis Falls, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 89, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 345, of date May 11, 1908."

No. 346; May 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of one dollar and twenty cents (\$1.20) per net ton to apply on shipments of Wood (Cord), carloads, minimum weight forty thousand (40,000) pounds, from Somers Center, N. Y., and other stations as named in application, to 33d Street, New York, N. Y., and other stations as named in application; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y.,

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No. 3907, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 346, of date May 11, 1908."

No. 347; May 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of seven cents (\$0.07) per one hundred (100) pounds to apply upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, from Forestport, N. Y., to Phenix, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3913, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 347, of date May 11, 1908."

No. 348; May 11, 1908; Little Falls and Dolgeville Railroad Company:

Ordred: That the Little Falls and Dolgeville Railroad Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish rate of seven cents (\$0.07) per one hundred (100) pounds to apply on shipments of Logs, carloads, minimum weight as per Official Classification, from Salisbury Center, N. Y., to Herkimer, N. Y., via Little Falls, N. Y., and the N. Y. C. & H. R. R. R.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 63, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 348, of date May 11, 1908."

No. 349; May 11, 1908; Little Falls and Dolgeville Railroad Company:

Ordred: That the Little Falls and Dolgeville Railroad Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish rate as specified in application to apply upon shipments of Box Shooks, carloads, minimum weight as per Official Classification, from Salisbury Center, N. Y., to St. Johnsville, N. Y., and other stations named in application, via Little Falls, N. Y., and the N. Y. C. & H. R. R. R.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 62, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 349, of date May 11, 1908."

No. 350; May 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as named in application to apply on shipments of Wall Plaster, carloads, minimum weight as per Official Classification, from New York, N. Y., to various stations as specified in the application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3901, superseding P. S. C., 2 N. Y., No. 3821, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the fol-

lowing notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 350, of date May 11, 1908."

No. 351; May 12, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish rate of seven cents (\$0.07) per one hundred (100) pounds to apply upon shipments of Pipe (Cast Iron, Water), carloads, minimum weight as per Official Classification, from Utica, N. Y., to Oswego, N. Y., and Fulton, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1020, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of the order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 351, of date May 12, 1908."

No. 352; May 12, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Central New England Railway Company, be and is hereby authorized to establish rate of one dollar and twenty cents (\$1.20) per net ton to apply on shipments of Manure, carloads, minimum weight sixty thousand (60,000) pounds, from Millwood, N. Y., and Yorktown Heights, N. Y., to Bethel, N. Y., Pine Plains, N. Y., and Enos Siding, N. Y., via Millerton, N. Y., and Central New England railway; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3912, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 352, of date May 12, 1908."

No. 353; May 12, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with The Delaware and Hudson Company, be and is hereby authorized to establish class rates as named in application to apply on shipments from New York, N. Y., and other stations as specified in the application to Raybrook, N. Y., and Lake Placid, N. Y., via Saranac Lake, N. Y., and The Delaware and Hudson Company; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3699, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 353, of date May 12, 1908."

No. 354; May 12, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), in connection with The New York Central and Hudson River Railroad Company and The Delaware and Hudson Company, be and is hereby authorized to establish class rates as named in application to apply on shipments from Tappan, N. Y., and other stations named in application, to Raybrook, N. Y., and Lake Placid, N. Y., via Utica, N. Y., the New York Central and Hudson River railroad, Saranac Lake, N. Y., and The Delaware and Hudson Company; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 899, and posted at stations at least three (3) days prior to the effective date specified in such

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tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 354, of date May 12, 1908."

No. 355; May 13, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with The Delaware and Hudson Company, be and is hereby authorized to establish rate of twelve cents (\$0.12) per one hundred (100) pounds to apply upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, from Hinckley, N. Y., to Plattsburgh, N. Y., via Saranac Lake, N. Y., and The Delaware and Hudson Company; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3914, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 355, of date May 13, 1908."

No. 356; May 13, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish switching charge of three dollars and fifty cents (\$3.50) per car at Gouverneur, N. Y., to apply upon shipments from siding of the Aldrich Paper Company to the siding of the Lace Mill; provided that a tariff naming said charge shall be filed with this Commission under P. S. C., 2 N. Y., No. 3915, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 356, of date May 13, 1908."

No. 357; May 14, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of three cents (\$0.03) per hundred (100) pounds to apply upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, from Canton, N. Y., to Carthage, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3937, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 357, of date May 14, 1908."

No. 358; May 14, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of twenty-five cents (\$0.25) per net ton to apply upon shipments of Sand, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Forestport, N. Y., to Remsen, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3926, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 358, of date May 14, 1908."

No. 359; May 14, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with The Delaware and Hudson Company, be and is hereby authorized to establish rate of one dollar and five cents (\$1.05) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Little Falls, N. Y., to Sanitaria Springs, N. Y., via Schenectady, N. Y., and The Delaware and Hudson Company; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3924, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 359, of date May 14, 1908."

No. 360; May 15, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rates as specified in application to apply upon shipments of Logs, carloads, minimum weight thirty-five thousand (35,000) pounds, from Collins, N. Y., and other stations named in application to Black Rock, N. Y., and other stations named in application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. A-153, and posted at stations at least three (3) days prior to the effective date to be specified therein as May 23, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 360, of date May 15, 1908."

No. 361; May 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as specified in the application to apply upon shipments of Wood (Cord), carloads, minimum weight forty thousand (40,000) pounds, from stations named in the application to Bronxville, N. Y., and various other stations as named in the application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3907, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 361, of date May 15, 1908."

No. 362; May 18, 1908; International Railway Company:

Ordered: That the International Railway Company be and is hereby authorized to establish Summer Season Excursion Fares applying to round-trip tickets and chartered cars and between the points as specified in the application; provided that a tariff naming said fares shall be filed with this Commission under P. S. C., 2 N. Y., No. 3, and posted at stations at least five days prior to the effective date to be specified therein as May 30, 1908. Such tariff shall be so filed and posted within five days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 362, of date May 18, 1908."

No. 363; May 18, 1908; The New York Central and Hudson River Railroad Company, and West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That The New York Central and Hudson River Railroad Company and West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), severally

and jointly, be and are hereby authorized to establish Summer Season Excursion Fares to apply between various stations to be specified in the tariff; provided that a schedule naming such fares shall be filed with this Commission under N. Y. C. & H. R. R. Co.'s P. S. C., 2 N. Y., No. 188, and W. S. R. R. Co.'s P. S. C., 2 N. Y., No. 74, and posted at stations at least five (5) days prior to the effective date to be specified therein as May 30, 1908. Such tariffs shall be so filed and posted within seven (7) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 363, of date May 18, 1908."

No. 364; May 18, 1908; Fonda, Johnstown and Gloversville Railroad Company:

Ordered: That the Fonda, Johnstown and Gloversville Railroad Company (steam and electric divisions) be and is hereby authorized to establish Summer Season Excursion Fares applying to Sunday, Holiday, Season, and Party excursions and between the points as specified in the application; provided that a tariff naming said fares shall be filed with this Commission and posted at stations at least five (5) days prior to the effective date to be specified therein as May 30, 1908. Such tariff shall be so filed and posted within seven (7) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 364, of date May 18, 1908."

No. 365; May 18, 1908; Fonda, Johnstown and Gloversville Railroad Company:

Ordered: That the Fonda, Johnstown and Gloversville Railroad Company (steam and electric divisions), in connection with The Adirondack Lakes' Traction Company, be and is hereby authorized to establish Summer Season Excursion Fares applying to Sunday, Holiday, Season, and Party excursions and between the points as specified in the application; provided that a tariff naming said fares shall be filed with this Commission and posted at stations at least five (5) days prior to the effective date to be specified therein as May 30, 1908. Such tariff shall be so filed and posted within seven (7) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 365, of date May 18, 1908."

No. 366; May 21, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rate of four and one-half cents (\$0.04½) per one hundred (100) pounds to apply upon shipments of Bituminous Coal, carloads, from Jamestown, N. Y., to Conewango, N. Y.; provided that a tariff naming said rate shall be filed with this Commission and posted at stations at least two (2) days prior to the effective date specified therein. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 366, of date May 21, 1908."

No. 367; May 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish switching charge of five dollars (\$5.00) per car on all freight, except Coal, Coke, and Live Stock, between freight station at Carthage, N. Y., and Pine Camp Siding; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3981, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service

Commission, Second District, State of New York, No. 367, of date May 23, 1908."

No. 368; May 22, 1908; application of The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company, in connection with The Jamestown Street Railway Company, The Chautauqua Traction Company, Jamestown, Chautauqua and Lake Erie Railway Company, The Lake Shore and Michigan Southern Railway Company, and The New York Central and Hudson River Railroad Company:

Ordered: That The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company, in connection with other railroad lines as specified above, be and is hereby authorized to establish certain Round Trip Summer Tourist Fares applying from and to the stations as named in the application; provided that a tariff naming said fares shall be filed with this Commission under P. S. C., 2 N. Y., No. 79, and posted at stations at least three (3) days prior to the effective date to be specified therein as June 1, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 368, of date May 22, 1908."

No. 369; May 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish local one-way passenger fares between Pine Camp, N. Y., and other stations located on the New York Central and Hudson River railroad; provided that a tariff naming said fares shall be filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 369, of date May 23, 1908."

No. 370; May 23, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to establish rate of thirty cents (\$0.30) per net ton to apply upon shipments of Sand (except Glass Sand and Moulding Sand) and Gravel, carloads, between Buffalo, N. Y., and Black Rock, N. Y., and Depew, N. Y., and Lancaster, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 28 to P. S. C., 2 N. Y., No. 276, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 370, of date May 23, 1908."

No. 371; May 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of forty-five cents (\$0.45) per net ton to apply upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Watertown, N. Y., to Carthage, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 3988, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from

the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 371, of date May 23, 1908."

No. 372; May 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of three cents (\$0.03) per one hundred (100) pounds to apply upon shipments of Wood (Pulp), car-loads, minimum weight forty thousand (40,000) pounds, from Glenfield, N. Y., to Felts Mills, N. Y., and Great Bend, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3973, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 372, of date May 23, 1908."

No. 373; May 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of three cents (\$0.03) per one hundred (100) pounds to apply upon shipments of Wood (Pulp), car-loads, minimum weight forty thousand (40,000) pounds, from Canton, N. Y., [redacted] Corinth, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3974, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 373, of date May 23, 1908."

No. 374; May 25, 1908; The New York Central and Hudson River Railroad Company:

Upon application of The New York Central and Hudson River Railroad Company, filed May 23, 1908, it appearing that through adjustment of alignment, shifting of station buildings, etc., it has resulted in changes which are sufficient to increase or decrease the through mileage between certain stations, necessitating changes in fares, but the increase in fares will not exceed more than two cents (\$0.02) between any two points, and for other good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to make such changes in its one-way local fares and distances between stations on main line of railroad west of Albany, N. Y., as will adjust fares between stations to a basis of two cents (\$0.02) per mile or fraction thereof figured on the changed distances; provided that such fares and distances are established in the first instance in Supplement No. 11 to P. S. C., 2 N. Y., No. 1, and filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 374, of date May 25, 1908."

This order is issued with the understanding that all effective changes contained in various supplements to P. S. C., 2 N. Y., No. 1, are to be consolidated and published in one (1) supplement, to be filed with the Commission on or before July 1, 1908.

No. 375; May 25, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as named in application

to apply upon shipments of Cinders, carloads, minimum weight twenty (20) net tons, from Buffalo, N. Y., Black Rock, N. Y., North Tonawanda, N. Y., Niagara Falls, N. Y., and Suspension Bridge, N. Y., to Lewiston, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 3989, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 375, of date May 25, 1908."

No. 376; May 25, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to reissue its local freight tariff P. S. C., 2 N. Y., No. 479, eliminating the line in the rate table on page 2 between the commodity "Soda, Bicarbonate of," and "Soda, Caustic, Sal, Crystals, and Soda Ash"; provided that such reissue shall be filed with this Commission under P. S. C., 2 N. Y., No. 495, and posted at stations at least ten (10) days prior to the effective date to be specified therein as June 18, and Soda Ash"; provided that such reissue shall be filed with this Commission from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 376, of date May 25, 1908."

No. 377; May 25, 1908; Norwood and Saint Lawrence Railroad Company:

Ordered: That the Norwood and Saint Lawrence Railroad Company be and is hereby authorized to establish upon shipments of Paper (Printing and Hangings) moved between Norwood, N. Y., East Norfolk, N. Y., Norfolk, N. Y., and Raymondville, N. Y., rate of one and one-half cents (\$0.01½) per one hundred (100) pounds, carloads, minimum weight forty thousand (40,000) pounds; and rate of three cents (\$0.03) per one hundred (100) pounds, less carloads; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 10, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 377, of date May 25, 1908."

No. 378; May 26, 1908; Rutland Railroad Company:

Ordered: That the Rutland Railroad Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish rate of eight cents (\$0.08) per one hundred (100) pounds to apply upon shipments of Wood (Pulp), carloads, minimum weight thirty thousand (30,000) pounds, from Ellenburg, N. Y., to Dexter, N. Y., via Norwood, N. Y., and the New York Central and Hudson River railroad; also to reissue that portion of its tariff P. S. C., 2 N. Y., No. 167, applying to traffic over which this Commission has jurisdiction; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 170, and posted at stations at least fifteen (15) days prior to the effective date to be specified therein as June 21, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 378, of date May 26, 1908."

No. 379; May 26, 1908; Hudson Navigation Company (Peoples Line):

Upon application of the Hudson Navigation Company (Peoples Line) filed May 25, 1908, it appearing that the reissue of certain freight schedules now on file with this Commission under Hudson Navigation Company's

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(Peoples Line) serial P. S. C., 2 N. Y., Nos. 1, 2, 4, 6, 23, 26, 28, 29, 30, and 31 is desirable on account of such schedules having been issued by mimeograph process and otherwise not in accordance with the requirements of the tariff rules, and for other good cause shown, it is

Ordered: That the Hudson Navigation Company (Peoples Line), in connection with The Delaware and Hudson Company and Albany and Hudson Railroad Company, be and is hereby authorized to reissue, by printing and constructing same to meet the requirements of the tariff rules of this Commission, its joint class and commodity rates applying upon traffic from New York, N. Y., to various stations on the lines of railroad of The Delaware and Hudson Company and Albany and Hudson Railroad Company, establishing the same rates and upon the same class of traffic as are now in force and which rates are contained in tariffs as stated in application; provided that such reissues are filed with this Commission under P. S. C., 2 N. Y., numbers 39 to 68, inclusive, and posted at stations at least one (1) day prior to the effective date specified in such tariffs. Such tariffs shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 379, of date May 26, 1908."

No. 380; May 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of four cents (\$0.04) per one hundred (100) pounds to apply upon shipments of Beer, in wood, or in bottles well packed in boxes or barrels, carloads, minimum weight as per Official Classification, from Dobbs Ferry, N. Y., to Ossining, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4013, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 380, of date May 27, 1908."

No. 381; May 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish at Gouverneur, N. Y., switching charges upon shipments, except Coal and Coke, as provided in the application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 4002, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 381, of date May 27, 1908."

No. 382; May 29, 1908; Lehigh Valley Railroad Company:

Ordered: That the Lehigh Valley Railroad Company be and is hereby authorized to establish rate of one dollar (\$1.00) per net ton to apply upon shipments of Pulp Wood, carloads, minimum weight 60,000 pounds, from North Fair Haven, N. Y. (f. o. b. cars), to Niagara Falls, N. Y.; provided that a tariff naming said rate shall be filed with this Commission and posted at stations at least one (1) day prior to the effective date to be specified therein as June 4, 1908, and to state that it cancels on June 28, 1908, tariff P. S. C., 2 N. Y., No. D877. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 382, of date May 29, 1908."

No. 383; May 29, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish rate of ten cents (\$0.10) per one hundred (100) pounds to apply upon shipments of Canned Vegetables, carloads, minimum weight thirty-six thousand (36,000) pounds, from Mattituck, N. Y., to Flat-bush Avenue, N. Y., Bushwick, N. Y., East New York, N. Y., Jamaica, N. Y., and Long Island City, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 160, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 383, of date May 29, 1908."

No. 384; June 1, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), in connection with the New York, Ontario and Western Railway Company, be and is hereby authorized to establish rate of two dollars (\$2.00) per net ton to apply upon shipments of Brick, carloads, minimum weight as per Official Classification, from New Paltz, N. Y., to East Branch, N. Y., via Campbell Hall, N. Y., and New York, Ontario and Western railway; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 992, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 384, of date June 1, 1908."

No. 385; June 1, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), in connection with the Buffalo and Susquehanna Railroad Company, be and is hereby authorized to establish rate of seventy-five cents (\$0.75) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Akron, N. Y., to Boston, N. Y., East Concord, N. Y., North Boston, N. Y., and Springville, N. Y., via East Buffalo, N. Y., and Buffalo and Susquehanna railroad; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 994, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 385, of date June 1, 1908."

No. 386; June 1, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of one and one-half cents (\$0.01½) per one hundred (100) pounds to apply upon shipments of Wood (Pulp), carloads, minimum weight forty thousand (40,000) pounds, from Black River, N. Y., to Carthage, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4030, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 386, of date June 1, 1908."

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No. 387; June 1, 1908; The New York, Chicago and Saint Louis Railroad Company:

Ordered: That The New York, Chicago and Saint Louis Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 104, covering allowance for the transfer of grain, making the tariff general in its application; provided that a tariff making such change shall be filed with this Commission under P. S. C., 2 N. Y., No. 107, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 387, of date June 1, 1908."

No. 388; June 2, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of eleven cents (\$0.11) per one hundred (100) pounds to apply upon shipments of Gas Oil, in tank cars, carloads, minimum weight as per Official Classification, from Clifton Springs, N. Y., to Schenectady, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4036, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 388, of date June 2, 1908."

No. 389; June 2, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel rate of thirty cents (\$0.30) per net ton shown in P. S. C., 2 N. Y., No. 3846, as applying on shipments of Crushed Stone, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Solvay, N. Y., to Syracuse, N. Y.; also rate of twenty cents (\$0.20) per net ton shown in P. S. C., 2 N. Y., No. 3847, as applying on shipments of Cinders, carloads, minimum weight thirty thousand (30,000) pounds, from Solvay, N. Y., to Syracuse, N. Y.; also to cancel on its effective date (July 1, 1908) rate of twenty cents (\$0.20) per net ton shown in P. S. C., 2 N. Y., No. 3986, as applying on shipments of Crushed Stone, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Solvay, N. Y., to Syracuse, N. Y.; provided that schedules making such cancellations and specifying where future rates may be found are filed with this Commission and posted at stations at least one (1) day prior to the effective date specified therein. Such schedules shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 389, of date June 2, 1908."

No. 390; June 2, 1908; Plattsburgh Traction Company:

Ordered: That the Plattsburgh Traction Company be and is hereby authorized to establish rates of fare as specified in application between points upon its line of railroad; provided that a tariff naming said rates of fare shall be filed with this Commission under P. S. C., 2 N. Y., No. 8, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 390, of date June 2, 1908."

No. 391; June 4, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with The Delaware and Hudson Company, be and is hereby authorized to establish fifth-class rate of twenty-three and one-half cents (\$0.23½) per one hundred (100) pounds to apply upon shipments from New York, N. Y., and other stations specified in the application to Raybrook, N. Y., and Lake Placid, N. Y., via Saranac Lake, N. Y., and The Delaware and Hudson Company; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 3699, and posted at stations at least ten (10) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 391, of date June 4, 1908."

No. 392; June 4, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish proportional rate of one dollar (\$1.00) per net ton to apply upon shipments of Stone (Flagging, Curbing, and Building), carloads, minimum weight as per Official Classification, from Norwich, N. Y., and other stations as named in the application to Cornwall, N. Y., when destined to points beyond via water; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1049, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 392, of date June 4, 1908."

No. 393; June 4, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish rule named in application governing the sale of tickets for charitable organizations; provided that a tariff naming said rule shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 25, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 393, of date June 4, 1908."

No. 394; June 4, 1908; Buffalo and Lake Erie Traction Company:

Ordered: That the Buffalo and Lake Erie Traction Company be and is hereby authorized to establish rates of fares between stations on its line of railroad as specified in the application; provided that a tariff naming said rates of fares shall be filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 394, of date June 4, 1908."

No. 395; June 5, 1908; Pennsylvania Railroad Company:

Ordered: That the Pennsylvania Railroad Company be and is hereby authorized to withdraw limitation on round-trip excursion tickets sold at double the one-way local fare; provided that a tariff making such provision shall be filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 26, and posted at stations at least ten (10) days prior to the

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effective date to be specified therein as July 1, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 395, of date June 5, 1908."

No. 396; June 9, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of twelve cents (\$0.12) per one hundred (100) pounds to apply upon shipments of Cheese, in boxes, any quantity, from Middleville, N. Y., Newport, N. Y., and Poland, N. Y., to Lowville, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4056, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 396, of date June 9, 1908."

No. 397; June 9, 1908; Utica and Mohawk Valley Railway Company:

Ordered: That the Utica and Mohawk Valley Railway Company be and is hereby authorized to establish rate of twenty cents (\$0.20) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight sixty thousand (60,000) pounds, from Little Falls, N. Y., to Herkimer, N. Y., and intermediate stops; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 397, of date June 9, 1908."

No. 398; June 9, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to correct its tariff P. S. C., 2 N. Y., No. 3809, changing the minimum weight on carload shipments of Flour made from grain only, from thirty-five thousand (35,000) pounds to forty thousand (40,000) pounds; provided that a tariff making such provision shall be filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 3909, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 398, of date June 9, 1908."

No. 399; June 9, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to correct its tariff P. S. C., 2 N. Y., No. 923, changing the minimum weight on carload shipments of Flour made from grain only, from thirty-five thousand (35,000) pounds to forty thousand (40,000) pounds; provided that a tariff making such provision shall be filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 923, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 399, of date June 9, 1908."

No. 400; June 9, 1908; The New York, New Haven and Hartford Railroad Company:

Ordered: That The New York, New Haven and Hartford Railroad Company be and is hereby authorized to correct its tariff P. S. C., 2 N. Y., No. 89, Item No. 110, extending the territory to which modification of Rule 3, Official Classification No. 32, P. S. C., 2 N. Y., No. 141, applies, to include all its stations in New York state; provided that a tariff making such provision shall be filed with this Commission under Supplement No. 10 to tariff P. S. C., 2 N. Y., No. 89, and posted at stations at least ten (10) days prior to the effective date, July 1, 1908, to be specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 400, of date June 9, 1908."

No. 401; June 10, 1908; New York and Ottawa Railway Company:

Ordered: That the New York and Ottawa Railway Company be and is hereby authorized to establish the same rates as named in tariff P. S. C., 2 N. Y., No. 4, applying on carload shipments of Rough Lumber to apply on carload shipments of Ashes (Wood), minimum weight as per Official Classification No. 32, P. S. C., 2 N. Y., No. 90, supplements thereto and superseding issues thereof, between local stations upon its line of railroad; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 91, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 401, of date June 10, 1908."

No. 402; June 10, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rate of twenty-five cents (\$0.25) per net ton to apply upon carload shipments of Sand, minimum weight marked capacity of car, weight to be determined upon estimated basis of weight in pounds per cubic yard to be specified in the tariff, from Sand Pit located near Lancaster, N. Y., to Lancaster, N. Y.; provided a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 957, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 402, of date June 10, 1908."

No. 403; June 10, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish rate of sixty cents (\$0.60) per net ton to apply upon shipments of Lime, carloads, from Chazy, N. Y., to Willsborough, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 1559, and posted at stations at least three (3) days prior to the effective date to be specified therein as June 17, 1908. Such tariff shall be so filed and posted within three (3) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 403, of date June 10, 1908."

No. 404; June 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as named in the application to apply upon shipments of Peaches, Plums, and Cherries, carloads,

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minimum weight as per Official Classification P. S. C., 2 N. Y., No. 2891, and supplements thereto or superseding issues thereof, from Wolcott, N. Y., and other stations as named in application to Watertown, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 4071, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 404, of date June 11, 1908."

No. 405; June 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to change rate of one dollar and sixty cents (\$1.60) per net ton now shown in P. S. C., 2 N. Y., No. 4000, as applying upon shipments of Brick (Common and Paving) from East Syracuse, N. Y., Solvay, N. Y., and Syracuse, N. Y., to Pierrepont Manor, N. Y., to one dollar and twenty cents (\$1.20) per net ton; provided that a tariff making such change shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 4000, and posted at stations at least fifteen (15) days prior to the effective date to be specified therein as June 29, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 405, of date June 11, 1908."

No. 406; June 12, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of four cents (\$0.04) per one hundred (100) pounds to apply upon shipments of Wood (Pulp), carloads, minimum weight forty thousand (40,000) pounds, from Charlotte, N. Y., to Lockport, N. Y., and Niagara Falls, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4072, and posted at stations at least ten (10) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 406, of date June 12, 1908."

No. 407; June 12, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on shipments of Sand (Moulding), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Newton Hook, N. Y., and Stuyvesant, N. Y., to Auburn, N. Y., and Seneca Falls, N. Y., rate of one dollar (\$1.00) per net ton; and to Carthage, N. Y., rate of one dollar and fifty cents (\$1.50) per net ton; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 4074, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 407, of date June 12, 1908."

No. 408; June 12, 1908; The Pullman Company:

Ordered: That The Pullman Company be and is hereby authorized to establish the seat rates named in application to apply in its cars in connection with the transportation of passengers by The New York Central and Hudson River Railroad Company between New York city, N. Y., Putnam

Junetion, N. Y., Carmel, N. Y., and Lake Mahopac, N. Y., subject to Rule 4 of Tariff Circular No. 35 as to intermediate station rates; provided that a tariff naming said rates shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 13, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 408, of date June 12, 1908."

No. 409; June 12, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of three cents (\$0.03) per one hundred (100) pounds to apply upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, from Felts Mills, N. Y., to Harrisville, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4073, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 409, of date June 12, 1908."

No. 410; June 12, 1908; Buffalo, Rochester and Pittsburgh Railway Company:

Ordered: That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to change rates on Cinders, Ashes, and Slag, carloads, from Buffalo, N. Y., to West Seneca, N. Y., Springville, N. Y., and West Valley, N. Y., now named in tariff P. S. C., 2 N. Y., No. 331, as being in cents per one hundred (100) pounds, to cents per net ton; provided that a tariff making such change shall be filed with this Commission under P. S. C., 2 N. Y., No. 334, and posted at stations at least twenty (20) days prior to the effective date to be specified therein as July 10, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 410, of date June 12, 1908."

No. 411; June 15, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish rate of fifty-six cents (\$0.56) per net ton to apply upon shipments of Gravel, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 37, supplements thereto and superseding issues thereof, from Salisbury Center, N. Y., to Inghams, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 76, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 411, of date June 15, 1908."

No. 412; June 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of fifty cents (\$0.50) per net ton to apply upon shipments of Earth, n. o. s. (soil), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Bloxvale, N. Y., to Syracuse, N. Y.; provided that a

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tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4082, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 412, of date June 15, 1908."

No. 413; June 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of eighty cents (\$0.80) per net ton to apply upon shipments of Brick, carloads, minimum weight fifty thousand (50,000) pounds, from Watertown, N. Y., to Clayton, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4081, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 413, of date June 15, 1908."

No. 414; June 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as named in the application to apply upon shipments of Cheese, in boxes, any quantity, from Alton, N. Y., Crocketts, N. Y., Furniss, N. Y., Hannibal, N. Y., North Rose, N. Y., Sterling, N. Y., and Wallington, N. Y., to Lowville, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 3951, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 414, of date June 15, 1908."

No. 415; June 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to change rates specified in tariff P. S. C., 2 N. Y., No. 4022, as applying on shipments of Rags, Paper (Scrap or Waste), Old Newspapers, and Book Leaves, in lots of twenty thousand (20,000) pounds or more, from Melrose Junction, N. Y., and New York city stations to Amsterdam, N. Y., and Amsterdam (Forest Avenue Terminal), N. Y., from twelve cents (\$0.12) to ten cents (\$0.10) per one hundred (100) pounds; provided that a tariff making such change shall be filed with this Commission under P. S. C., 2 N. Y., No. 4085, posted at stations at least five (5) days prior to the effective date to be specified as July 3, 1908, and state that it supersedes P. S. C., 2 N. Y., No. 4022. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 415, of date June 15, 1908."

No. 416; June 15, 1908; New Jersey and New York Railroad Company:

Ordered: That the New Jersey and New York Railroad Company be and is hereby authorized to establish switching charge of three dollars and fifty cents (\$3.50) per car to apply upon shipments of Brick, carloads, from New Jersey and New York railroad tracks at West Haverstraw, N. Y., to connection with the West Shore railroad at West Haverstraw, N. Y.; pro-

vided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 37, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within fifteen (15) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 416, of date June 15, 1908."

No. 417; June 15, 1908; Fonda, Johnstown and Gloversville Railroad Company:

Ordered: That the Fonda, Johnstown and Gloversville Railroad Company, in connection with The New York Central and Hudson River Railroad Company and West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), be and is hereby authorized to establish rate of two dollars and twenty-five cents per net ton to apply upon shipments of Lumber and Forest Products (to be enumerated in the tariff) from all stations on the F. J. & G. R. R. (to be named in the tariff) to Kingston, N. Y., via Fonda, N. Y., N. Y. C. & H. R. R. R., and W. S. R. R.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 74, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 417, of date June 15, 1908."

No. 418; June 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as named in application to apply upon shipments of Fresh Dressed Meat, in refrigerator cars, in less than carloads, from 33d Street, New York city, to stations on Hudson division as named in application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 4075, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 418, of date June 15, 1908."

No. 419; June 16, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Ashes (Wood), carloads, minimum weight forty thousand (40,000) pounds, from Tupper Lake Junction, N. Y., to Gabriels, N. Y., Lake Clear, N. Y., and Saranac Lake, N. Y., a rate of three cents (\$0.03) per one hundred (100) pounds; and to Malone, N. Y., Mountain View, N. Y., and Owl's Head, N. Y., a rate of five cents (\$0.05) per one hundred (100) pounds; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 4089, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 419, of date June 16, 1908."

No. 420; June 16, 1908; The New York Central and Hudson River Railroad Company:

Subject: To revise fourth paragraph of Rule 3 of Official Classification No. 32 upon eight (8) days' notice, with effective date July 1, 1908.

Upon application of The New York Central and Hudson River Railroad

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Company, filed June 15, 1908, for itself and on behalf of all other New York state railroad corporations filing with this Commission Official Classification No. 32, and for good cause shown, it is

Ordered: That all railroad corporations operating within the State of New York which have filed with this Commission and posted at stations as required by law, Official Classification No. 32, be and are hereby authorized to issue, effective July 1, 1908, Supplement No. 1 to Official Classification No. 32, upon eight (8) days' notice to the public and to the Commission; provided that said supplement contains no other change than that of revising the fourth paragraph of Rule 3 to read as follows:

"When freight is consigned to a place not located on the line of a railroad, each package, bundle or piece must be marked with the name of the station at which consignee will accept delivery, or if routed in connection with a water line with which there are no joint rates in effect, the name of the place at which delivery is to be made to such water line must be marked on each package, bundle or piece."

Such schedule shall be filed by the various carriers as Supplement No. 1 to the serial P. S. C. number under which they have filed Official Classification No. 32, and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 420, of date June 16, 1908."

No. 421; June 18, 1908; The Delaware and Hudson Company, in connection with the Erie Railroad Company; The Dunkirk, Allegheny Valley and Pittsburgh Railroad Company; Jamestown, Chautauqua and Lake Erie Railway Company; The Lake Shore and Michigan Southern Railway Company; and The New York, Chicago and St. Louis Railroad Company:

Subject: Correction of tariff to cover clerical error in rate quotation.

Ordered: That The Delaware and Hudson Company, in connection with railroads named above, be and is hereby authorized to establish rate of two dollars and eighty cents (\$2.80) per gross ton to apply upon shipments of Pig Iron, carloads, minimum weight as per Official Classification, from Standish, N. Y., to points in New York state west of Buffalo, N. Y., taking sixty per cent. (60%) of New York to Chicago rates; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1619, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 421, of date June 18, 1908."

No. 422; June 18, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish at Carthage, N. Y., the switching charges as named in the application; provided that a tariff naming said charges shall be filed with this Commission under P. S. C., 2 N. Y., No. 4086, superseding P. S. C., 2 N. Y., Nos. 3150 and 3981, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 422, of date June 18, 1908."

No. 423; June 18, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of three cents (\$0.03) per one hundred (100) pounds to apply upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, from Black

River, N. Y., and Potsdam, N. Y., to Gouverneur, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4103, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 423, of date June 18, 1908."

No. 424; June 18, 1908; Catskill Mountain Railway Company:

Ordered: That the Catskill Mountain Railway Company be and is hereby authorized to establish rate of thirty cents (\$0.30) per net ton to apply upon shipments of Shale and Clay in train-load lots, minimum eight (8) cars, to be loaded in cars furnished by shippers, the minimum weight per car to be thirteen (13) net tons on Shale and twelve (12) net tons on Clay, from Shale Bank (Y) and Clay Bank (Y) to Catskill, N. Y., including haul of not more than one mile over the tracks of other corporations, firms, or individuals, and the return of empty cars; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 10, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 424, of date June 18, 1908."

No. 425; June 18, 1908; Rutland Railroad Company, in connection with The New York Central and Hudson River Railroad Company, and New York and Ottawa Railway Company:

Subject: To make effective July 6, 1908, rates named in tariff issued as P. S. C., 2 N. Y., No. 168, which, by error, though issued, was not filed in time to give statutory notice.

Upon application of the Rutland Railroad Company, filed June 16, 1908, it appearing upon verified statement made that a joint commodity tariff was issued June 3, 1908, under P. S. C., 2 N. Y., No. 168, as canceling P. S. C., 2 N. Y., No. 127, and applying on Corn, Feed, Flour, and Oats, carloads, governed by Official Classification P. S. C., 2 N. Y., No. 169, supplements thereto and reissues thereof, from Malone, N. Y., and Ogdensburg, N. Y., to stations in New York state located on the R. W. & O. and Mohawk and Malone divisions of the New York Central and Hudson River railroad, and New York and Ottawa railway, was, through error, not posted at stations and filed with this Commission in time to give required notice provided by law; and as such tariff contains no advance in present effective rates, it is

Ordered: That the Rutland Railroad Company, in connection with The New York Central and Hudson River Railroad Company, and New York and Ottawa Railway Company, be and is hereby authorized to establish joint commodity tariff applying on Corn, Feed, Flour, and Oats, in carloads, applying from Malone, N. Y., and Ogdensburg, N. Y., to stations and at the rates as named in application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 168, and posted at stations at least ten (10) days prior to the effective date to be specified therein as July 6, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 425, of date June 18, 1908."

No. 426; June 18, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to establish on shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from South Bethlehem, N. Y.,

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to Selkirk, N. Y., rate of thirty-five cents (\$0.35) per net ton; and to Walden, N. Y., rate of eighty cents (\$0.80) per net ton; provided that a tariff naming said rates shall be filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 426, of date June 18, 1908."

No. 427; June 18, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish rate of forty cents (\$0.40) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from South Bethlehem, N. Y., to Carman, N. Y.; provided that a tariff naming said rate shall be filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 427, of date June 18, 1908."

No. 428; June 19, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), in connection with the Erie Railroad Company, be and is hereby authorized to establish rate of one dollar and twenty-five cents (\$1.25) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from South Bethlehem, N. Y., to Pine Bush, N. Y., via Newburgh, N. Y., and Erie railroad; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1016, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 428, of date June 19, 1908."

No. 429; June 19, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of forty-five cents (\$0.45) per net ton to apply upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case marked capacity of car will govern, but in no case shall minimum weight be less than forty thousand (40,000) pounds, from Rices, N. Y., to Carthage, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4105, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 429, of date June 19, 1908."

No. 430; June 19, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish rate of two dollars and thirty cents (\$2.30) per net ton to apply upon shipments of Cement (Common, Hydraulic,

Natural, or Portland), carloads, minimum weight fifty thousand (50,000) pounds, except when capacity of car is less, in which case the actual capacity of car will govern, but in no case will minimum weight be less than thirty thousand (30,000) pounds, from Glens Falls, N. Y., to stations Lyons Falls, N. Y. (Index No. 95), to Stittville, N. Y. (Index No. 106), inclusive, as shown in tariff P. S. C., 2 N. Y., No. 1299; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 1299, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 430, of date June 19, 1908."

No. 431; June 19, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Crystals (Mono-hydrate or Snowflake), in barrels, carload rate of six cents (\$0.06) per one hundred (100) pounds, and less carload rate of eight cents (\$0.08) per one hundred (100) pounds, from Syracuse, N. Y., to Albany, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 4101, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 431, of date June 19, 1908."

No. 432; June 19, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Utica and Mohawk Valley Railway Company, and Oneonta and Mohawk Valley Railroad Company, be and is hereby authorized to establish one-way and round-trip passenger fares from stations on the New York Central and Hudson River railroad to stations on the Oneonta and Mohawk Valley railroad made on basis of local fares from New York Central and Hudson River railroad stations to Herkimer, N. Y., added to local fares of the Utica and Mohawk Valley Railway Company from Herkimer, N. Y., to Mohawk, plus local fares of the Oneonta and Mohawk Valley Railroad Company from Mohawk, N. Y., to destination; provided that a tariff naming said fares shall be filed with this Commission under P. S. C., 2 N. Y., No. 226, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 432, of date June 19, 1908."

No. 433; June 19, 1908; Oneonta and Mohawk Valley Railroad Company:

Ordered: That the Oneonta and Mohawk Valley Railroad Company, in connection with the Utica and Mohawk Valley Railway Company, and The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish joint one-way and round-trip passenger fares from stations on the Oneonta and Mohawk Valley railroad to stations on the New York Central and Hudson River railroad made on basis of local fares from Oneonta and Mohawk Valley railroad stations to Mohawk, N. Y., added to local fares of the Utica and Mohawk Valley Railway Company from Mohawk, N. Y., to Herkimer, N. Y., plus local fares of The New York Central and Hudson River Railroad Company from Herkimer, N. Y., to destination; provided that a tariff naming said fares shall be filed with

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this Commission under P. S. C., 2 N. Y., No. 17, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 433, of date June 19, 1908."

No. 434; June 19, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish local round-trip passenger fare of two dollars and eighty-five cents (\$2.85) from New York, N. Y., to Wingdale, N. Y., and return, tickets to be sold daily commencing with June 22, 1908, to July 15, 1908, with final return limit of August 15, 1908; provided that a tariff naming said fare and stating that after July 15, 1908, future fare will be as named in P. S. C., 2 N. Y., No. 55, is filed with this Commission under P. S. C., 2 N. Y., No. 229, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 434, of date June 19, 1908."

No. 435; June 20, 1908; The Pullman Company:

Ordered: That The Pullman Company be and is hereby authorized to issue a tariff amending its tariff P. S. C., 2 N. Y., No. 13, as follows: Adding to schedules Nos. 20 and 21 seat rates to Buffalo, N. Y., from New York Central and Hudson River railroad (Adirondack district stations); to schedule No. 21 seat rates to Buffalo, N. Y., from The Delaware and Hudson Company (Chateaugay branch stations); and to schedule No. 31 rates to Petersburgh Junction, N. Y., from New York Central and Hudson River railroad (Hudson division stations); provided that a tariff naming said rates shall be filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 13, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 435, of date June 20, 1908."

No. 436; June 22, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to establish rate of eighty cents (\$.80) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Little Falls, N. Y., to Hinckley, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1012, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 436, of date June 22, 1908."

No. 437; June 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of sixteen cents (\$.16) per one hundred (100) pounds to apply upon shipments of Cans (Tin), carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 2891, supplements thereto or superseding issues thereof; from Syracuse,

N. Y., to Wilson, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4126, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 437, of date June 23, 1908."

No. 438; June 23, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with the Rutland Railroad Company, be and is hereby authorized to establish rate of eighty cents (\$0.80) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Chazy, N. Y., to Bangor, N. Y., and Malone, N. Y., via Rouses Point, N. Y., and Rutland railroad; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1629, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 438, of date June 23, 1908."

No. 439; June 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 215, naming excursion fares applying between Watertown, N. Y., and Pine Camp, N. Y.; and Carthage, N. Y., and Pine Camp, N. Y.; extending the return limit of tickets sold at such fares from date of sale to two (2) days including date of sale; provided that a tariff making such change shall be filed with this Commission under P. S. C., 2 N. Y., No. 231, state that it supersedes P. S. C., 2 N. Y., No. 215, and be posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 439, of date June 23, 1908."

No. 440; June 23, 1908; The Pennsylvania Railroad Company:

Ordered: That The Pennsylvania Railroad Company be and is hereby authorized to establish basis for joint passenger fares from Lake Shore, N. Y. (a temporary summer station), to other points in the State of New York as shown in tariff P. S. C., 2 N. Y., No. 101, and at the same rate which is in effect applying from Sodus, N. Y., to such stations; provided that a tariff naming such basis shall be filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 101, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 440, of date June 23, 1908."

No. 441; June 24, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on shipments of Sand and Gravel, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from East Rochester, N. Y., to Rochester, N. Y., rate of twenty-five cents (\$0.25) per net ton; and to Barnard, N. Y., rate of thirty cents (\$0.30) per net ton; provided that a tariff naming said

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rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 4133, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 441, of date June 24, 1908."

No. 442; June 24, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of two dollars (\$2.00) per net ton to apply upon shipments of Stone (Paving), carloads, minimum weight fifty thousand (50,000) pounds, from Eagle Harbor, N. Y., Albion, N. Y., Farmer, N. Y., and Holley, N. Y., to Watertown, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4140, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 442, of date June 24, 1908."

No. 443; June 24, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of thirty cents (\$0.30) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Saranac Lake, N. Y., to Saranac Inn, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4141, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 443, of date June 24, 1908."

No. 444; June 27, 1908; upon joint application of The New York Central and Hudson River Railroad Company for itself and its subsidiary lines, also of the West Shore Railroad (N. Y. C. & H. R. R. R. Co. Lessee), filed June 27, 1908, and for good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, for itself and its subsidiary lines, and the West Shore Railroad (N. Y. C. & H. R. R. R. Co. Lessee), be and are hereby authorized to issue Supplement No. 1 to N. Y. C. & H. R. R. R. Co.'s tariff P. S. C., 2 N. Y., No. 209, and W. S. R. R. Co.'s tariff P. S. C., 2 N. Y., No. 79, canceling the rates named therein, which are in excess of rates now charged, and to establish such rates effective July 1, 1908; provided that a tariff making such cancellation shall be filed with this Commission and posted at stations at least one (1) day prior to the effective date specified therein. Such tariff shall be so filed and posted within three (3) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 444, of date June 27, 1908."

No. 445; June 29, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 4068, changing the rate of three cents (\$0.03) shown as applying from Canton, N. Y., to Canton, N. Y., to apply from Canton, N. Y., to Carthage, N. Y.; provided that a tariff naming said change shall be filed with this Commission under P. S. C., 2 N. Y., No. 4149, and posted at stations at least

twenty (20) days prior to the effective date to be specified as July 25, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 445, of date June 29, 1908."

No. 446; June 29, 1908; upon the application of the Erie Railroad Company, filed June 29, 1908, and it appearing that tariffs bearing P. S. C. 2 N. Y., Nos. 951, 952, 953, 956, and A.153, were not posted at stations in time to give statutory notice, and for good cause shown, it is

Ordered: That the Erie Railroad Company be and is hereby authorized to cancel the rates contained in the schedules as named in the application, and to continue in force the rates applying upon the shipments of milk and cream between local stations as specified in tariffs P. S. C., 2 N. Y., Nos. 202, 520, 593, 594, and A.146; provided that a supplement issue to tariffs P. S. C., 2 N. Y., Nos. 951, 952, 953, 956, and A. 153, naming such cancellation and continuation of rates, shall be filed with this Commission and posted at stations under effective date, July 1, 1908. Such tariffs shall be so filed and posted within two (2) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 446, of date June 29, 1908."

No. 447; June 29, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of four cents (\$0.04) per one hundred (100) pounds to apply upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, from Lyons Falls, N. Y., to Gouverneur, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4154, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 447, of date June 29, 1908."

No. 448; June 29, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as named in the application to apply upon shipments of Cans (Tin), carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, supplements thereto or superseding issues thereof, from Syracuse, N. Y., to Mexico, N. Y., Webster, N. Y., and Barker, N. Y.; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 4148, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 448, of date June 29, 1908."

No. 449; June 29, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish icing charge of ten cents (\$0.10) per one hundred (100) pounds to apply upon less carload shipments of Butter, Cheese, Eggs, and other Perishable Freight (not exceeding 10,000 pounds), moved in iced refrigerator cars from stations named in application to Utica, N. Y.; provided that a tariff naming said charge shall be filed with this Commission under P. S. C., 2 N. Y., No. 4108, and posted at

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stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 449, of date June 29, 1908."

No. 450; June 29, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates as named in the application to apply upon shipments of Peaches, Plums, and Cherries, less car-loads, from various local stations to Watertown, N. Y.; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 450, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 450, of date June 29, 1908."

No. 451; June 29, 1908; The Buffalo, Rochester and Pittsburgh Railway Company:

Ordered: That The Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to withdraw the rates contained in tariff P. S. C., 2 N. Y., No. 53, effective July 1, 1908, applying to the shipment of milk and cream transported in baggage cars on passenger trains between stations where the distance is seventy-five (75) miles or less, and to continue in force the rates as contained in tariff P. S. C., 2 N. Y., No. 8, applying to the shipment of such traffic transported in baggage cars on passenger trains between such stations where the distance is seventy-five (75) miles or less; provided that a tariff naming such rates shall be filed with this Commission as Supplement No. 1 to P. S. C., 2 N. Y., No. 53, and posted at stations at least one (1) day prior to the effective date to be specified therein as July 1, 1908. Such tariff shall be so filed and posted within two (2) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 451, of date June 29, 1908."

No. 452; June 29, 1908; New York and Albany Transportation Company:

Ordered: That the New York and Albany Transportation Company, in connection with The Delaware and Hudson Company, Lake George Steamboat Company, and other connections, be and is hereby authorized to establish local and joint one-way and round-trip passenger fares from New York, N. Y., to points on or reached via The Delaware and Hudson Company and connections, made on combination of local one-way fare of one dollar (\$1.00) and round-trip fare of two dollars (\$2.00) New York, N. Y., to Albany, N. Y., coupled with fare of The Delaware and Hudson Company and connections from Albany, N. Y.; except that the round-trip fare from New York, N. Y., to Troy, N. Y., and points intermediate between Albany, N. Y., and Troy, N. Y., shall be two dollars (\$2.00); provided that a tariff naming said fares shall be filed with this Commission under P. S. C., 2 N. Y., No. 1, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 452, of date June 29, 1908."

No. 453; June 29, 1908; Rutland Railroad Company:

Ordered: That the Rutland Railroad Company be and is hereby authorized to file tariff P. S. C., 2 N. Y., No. 173, naming the rates on various commodities from and to stations as named in the application, and as super-

seding tariffs P. S. C., 2 N. Y., Nos. 33 and 103; provided that such tariff is filed with this Commission at least ten (10) days prior to the effective date to be specified therein as July 21, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 453, of date June 29, 1908."

No. 454; June 29, 1908; The Pennsylvania Railroad Company:

Ordered: That The Pennsylvania Railroad Company be and is hereby authorized to withdraw the rates contained in tariff P. S. C., 2 N. Y., No. 102, effective July 1, 1908, applying to the shipment of milk and cream transported in baggage cars on passenger trains between stations on the Buffalo and Allegheny division (Buffalo and Chautauqua divisions), and to put in force the rates that are now charged for the shipment of such traffic between such stations when transported in baggage cars on passenger trains; provided that a tariff naming the rates shall be filed with this Commission as P. S. C., 2 N. Y., No. 118, canceling P. S. C., 2 N. Y., No. 102, and posted at stations at least one (1) day prior to the effective date to be specified therein as July 1, 1908. Such tariff shall be so filed and posted within two (2) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 454, of date June 29, 1908."

No. 455; June 30, 1908; Lehigh Valley Railroad Company:

Ordered: That the Lehigh Valley Railroad Company be and is hereby authorized to cancel the rates contained in tariff P. S. C., 2 N. Y., No. D.866, and to continue in force the rates applying to the shipment of milk and cream as contained in tariff P. S. C., 2 N. Y., No. D.801; provided that a tariff naming such rates shall be filed with this Commission as P. S. C., 2 N. Y., No. D.898, and posted at stations at least one (1) day prior to the effective date to be specified therein as July 1, 1908. Such tariff shall be so filed and posted within two (2) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 455, of date June 30, 1908."

No. 456; June 30, 1908; Buffalo and Susquehanna Railway Company and the Buffalo, Attica and Arcade Railroad Company:

Ordered: That the Buffalo and Susquehanna Railway Company and the Buffalo, Attica and Arcade Railroad Company be and are hereby authorized to cancel the rates contained in tariffs B. & S., P. S. C., 2 N. Y., No. 45, and B., A. & A., P. S. C., 2 N. Y., No. 15, effective July 1, 1908, applying to the shipment of milk and cream between stations local to their lines, and to continue in force the rates contained in B. & S., P. S. C., 2 N. Y., No. 8, and B., A. & A., P. S. C., 2 N. Y., No. 2; provided that a supplement be issued to such tariffs naming cancellation and continuation of rates and filed with this Commission as Supplement No. 1 to B. & S., P. S. C., 2 N. Y., No. 45, and Supplement No. 1 to B., A. & A., P. S. C., 2 N. Y., No. 15, and posted at stations at least one (1) day prior to the effective date to be specified therein as July 1, 1908. Such tariffs shall be so filed and posted within two (2) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 456, of date June 30, 1908."

No. 457; July 2, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish at Port Henry, N. Y., switching charge of three dollars (\$3.00) per car of eighty thousand (80,000) pounds or less, to apply upon shipments of Limestone for fluxing purposes when moved not

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to exceed one mile; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1639, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 457, of date July 2, 1908."

No. 458; July 2, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 29, and change the number of the train which will be extended from Amagansett, N. Y., to Montauk, N. Y., on application to the conductor before reaching Easthampton and upon payment of ten dollars (\$10.00) in addition to regular transportation from No. 21 to No. 19; provided that a tariff making said change is filed with this Commission under P. S. C., 2 N. Y., No. 59, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted at stations within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 458, of date July 2, 1908."

No. 459; July 2, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with the New York and Albany Transportation Company, be and is hereby authorized to establish joint one-way and round-trip passenger fares from local stations on its line of railroad to New York city, N. Y., via Albany, N. Y., and New York and Albany Transportation Company, made on combination of local fare of The Delaware and Hudson Company to Albany, N. Y., plus one-way fare of one dollar (\$1.00) and round-trip fare of two dollars (\$2.00) of the New York and Albany Transportation Company from Albany, N. Y., to New York, N. Y.; provided that a tariff naming said fares shall be filed with this Commission under P. S. C., 2 N. Y., No. 101, and posted at stations at least ten (10) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 459, of date July 2, 1908."

No. 460; July 3, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of three cents (\$.03) per one hundred (100) pounds to apply upon shipments of Wheat, Corn, and Rye, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, supplements thereto or superseding issues thereof, from Buffalo, N. Y. (ex-lake), to Rochester, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4191, and posted at stations at least three days prior to the effective date to be specified as July 10, 1908. Such tariff shall be so filed and posted within four (4) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 460, of date July 3, 1908."

No. 461; July 3, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rates for the movement one way and free return of Hand Fire Engines and Fire Apparatus when moved account of convention or muster of Veteran or Volunteer Firemen's Association from point of shipment to the point at which such convention or muster is held; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y.,

No. 974, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 461, of date July 3, 1908."

No. 462; July 3, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel chair car fares shown in its tariff P. S. C., 2 N. Y., No. 171, applying between 155th Street, New York, N. Y., and Putnam Junction, N. Y.; provided that a tariff withdrawing said fares is filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 171, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 462, of date July 3, 1908."

No. 463; July 3, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish rate of thirty cents (\$0.30) per net ton on shipments of Wood (Pulp), carloads, minimum weight fifty thousand (50,000) pounds when loaded in racked gondola cars, and thirty thousand (30,000) pounds when loaded in coal or gondola cars not racked, excess weight to be charged in proportion, when received at Whitehall, N. Y., from water transportation lines on Lake Champlain and destined to Sandy Hill, N. Y., including Fenimore Mill, when shipped in trainloads of twenty (20) cars or more; provided that a tariff naming said rate is filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 1559, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 463, of date July 3, 1908."

No. 464; July 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of thirty cents (\$0.30) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Solvay, N. Y., to Woodward, N. Y., and Phoenix, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4214, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 464, of date July 7, 1908."

No. 465; July 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of forty-five cents (\$0.45) per net ton to apply upon shipments of Stone (Rough Building, Curb, Paving, Scrap, and Refuse), carloads, minimum weight forty thousand (40,000) pounds, from Albion, N. Y., to Eagle Harbor, N. Y., Knowlesville, N. Y., Medina, N. Y., Middleport, N. Y., Beach Ridge, N. Y., Gasport, N. Y., Lockport, N. Y., Sanborn, N. Y., Mapleton, N. Y., and Sawyers Creek, N. Y.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4217, and posted at stations at least one (1)

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day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 465, of date July 7, 1908."

No. 466; July 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with The Delaware, Lackawanna and Western Railroad Company, be and is hereby authorized to establish rate of ninety-five cents (\$0.95) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Little Falls, N. Y., to Fulton, N. Y., via Syracuse, N. Y., and D. L. & W. R. R.; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 4207, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 466, of date July 7, 1908."

No. 467; July 7, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), in connection with The Delaware and Hudson Company, be and is hereby authorized to establish rate of ninety cents (\$0.90) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from South Bethlehem, N. Y., to Glens Falls, N. Y., via South Schenectady, N. Y., and The Delaware and Hudson Company; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1034, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 467, of date July 7, 1908."

No. 468; July 7, 1908; Catskill Mountain Railway Company:

Ordered: That the Catskill Mountain Railway Company be and is hereby authorized to establish rate of nine dollars (\$9.00) for thirty (30) ride commutation tickets good between Catskill, N. Y., and Palenville, N. Y., for passage of person named on the ticket, such tickets not to be accepted for checking baggage nor valid for passage after twenty (20) days from the date of issue; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 31, and posted at stations at least ten (10) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 468, of date July 7, 1908."

No. 469; July 9, 1908; Lehigh Valley Railroad Company:

Ordered: That the Lehigh Valley Railroad Company be and is hereby authorized to establish rates applying on carload shipments of commodities from and to the points as named in the application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 902, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 469, of date July 9, 1908."

No. 470; July 9, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish, in connection with The New York Central and Hudson River Railroad Company, via Schenectady, N. Y., rate of one dollar and forty cents (\$1.40) per net ton to apply upon shipments of Brick (Common), carloads, minimum weight forty thousand (40,000) pounds, from Mechanicville, N. Y., and intermediate stations on The Delaware and Hudson Company, to Frankfort, N. Y., and intermediate stations on The New York Central and Hudson River Railroad Company, except as lower rates may now be in effect, all points of origin and destination to be shown in the tariff; provided that a tariff naming said rate shall be filed with this Commission under P. S. C., 2 N. Y., No. 1655, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 470, of date July 9, 1908."

No. 471; July 13, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish from the stations the rates as named in application to apply upon carload and less carload shipments of Peaches, Plums, and Cherries, to Watertown, N. Y.; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 4158, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notations: "This tariff expires with the close of business July 31, 1908, after which date rates will be as provided in tariff P. S. C., 2 N. Y., No. 4155, supplements thereto or superseding issues thereof;" and "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 471, of date July 13, 1908."

No. 472; July 13, 1908; The Lake Shore and Michigan Southern Railway Company:

Ordered: That The Lake Shore and Michigan Southern Railway Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 85, and establish special fare of eleven cents (\$0.11) each, account Fresh Air Mission Children and their Attendants, to apply from Buffalo, N. Y., to Angola, N. Y.; and from Angola, N. Y., to Buffalo, N. Y.; provided that a tariff naming said fare is filed with this Commission under P. S. C., 2 N. Y., No. 113, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 472, of date July 13, 1908."

No. 473; July 15, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to establish rates for the movement one way and free return to point of shipment on its line of railroad or junction point with connecting line of Hand Fire Engines and Fire Apparatus when moved account of convention or muster of Veteran or Volunteer Firemen's Association from point of shipment to the point at which such convention or muster is held; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 530, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 473, of date July 15, 1908."

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No. 474; July 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 4212, and include in the list of commodities on which the tariff applies "Ash (Soda), carloads, minimum weight as per Official Classification"; provided that such reissued tariff is filed with this Commission under P. S. C., 2 N. Y., No. 4241, and posted at stations at least ten (10) days prior to its effective date to be specified as August 7, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 474, of date July 15, 1908."

No. 475; July 16, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company, in connection with the Delaware and Eastern Railroad Company, be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 1061, and include therein notation that the rates specified will apply only upon carload shipments, minimum weight as per Official Classification; provided that such reissued tariff is filed with this Commission under P. S. C., 2 N. Y., No. 1066, and posted at stations at least ten (10) days prior to the effective date to be specified as August 3, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 475, of date July 16, 1908."

No. 476; July 16, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to establish upon shipments of Gravel, Sand (except Glass and Moulding), Stone (Crushed and Rough Foundation), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from and to the stations and at the rates as named in application; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 1051, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 476, of date July 16, 1908."

No. 477; July 16, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish Sundry Excursion Fares to Rockaway Beach, N. Y., from the stations and at the fares named in the application; provided that a tariff naming said fares is filed with this Commission under P. S. C., 2 N. Y., No. 61, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 477, of date July 16, 1908."

No. 478; July 16, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, locally and jointly in connection with the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), be and is hereby authorized to establish, as named in the application, the rates applying from and to various points on carload shipments of Gravel, Sand (except Glass and Moulding), Stone

(Crushed and Rough Foundation), minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 4246, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall also include the rates now contained in tariff P. S. C., 2 N. Y., No. 3118, which are not changed by this order, and shall be filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 478, of date July 16, 1908."

No. 479; July 16, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish, as named in application, the rates to apply between various stations for the movement of a special car on a regular electric train; also for the movement of special electric train of one or more cars; provided that a tariff naming said rates is filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 25, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 479, of date July 16, 1908."

No. 480; July 20, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of seventy cents (\$0.70) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Solvay, N. Y., to Adams, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4202, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notations: "This tariff will expire with the close of business August 14, 1908, after which date rates will be as provided in P. S. C., 2 N. Y., No. 4238, supplements thereto or superseding issues thereof;" and "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 480, of date July 20, 1908."

No. 481; July 22, 1908; The New York Central and Hudson River Railroad Company, filed July 21, 1908, and upon it appearing that under an order of the Interstate Commerce Commission in Case No. 1461, a reduction in track-storage charges at New York and Brooklyn stations must be put in force August 15, 1908, and for other good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its schedule P. S. C., 2 N. Y., No. 3286, reducing the track-storage charges at its New York and Brooklyn stations as is required by the Interstate Commerce Commission order and as set forth in application, by the issuance of supplement to such schedule, and such supplement may be issued as the third effective supplement to the schedule; provided that a schedule naming the charge as is authorized by the order is filed with the Commission and is posted at stations at least five (5) days in advance of the effective date to be specified therein as August 15, 1908. Such tariff shall be so filed and posted within eighteen (18) days from the date of this order and bear the following notation: "Issued under at least five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 481, of date July 22, 1908."

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No. 482; July 22, 1908; West Shore Railroad (N. Y. C. & H. R. R. R. Co. Lessee), filed July 21, 1908, and upon it appearing that under an order of the Interstate Commerce Commission in Case No. 1461, a reduction in track-storage charges at New York and Brooklyn stations must be put in force August 15, 1908, and for other good cause shown, it is

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. R. Co. Lessee) be and is hereby authorized to amend its schedule P. S. C., 2 N. Y., No. 855, reducing the track-storage charges at its New York and Brooklyn stations as is required by the Interstate Commerce Commission order and as set forth in application, by the issuance of supplement to such schedule, and such supplement may be issued as the third effective supplement to the schedule; provided that a schedule naming the charge as is authorized by the order is filed with the Commission and is posted at stations at least five (5) days in advance of the effective date to be specified therein as August 15, 1908. Such tariff shall be so filed and posted within eighteen (18) days from the date of this order and bear the following notation: "Issued under at least five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 482, of date July 22, 1908."

No. 483; July 22, 1908; The Long Island Railroad Company, filed July 18, 1908, and upon it appearing that under an order of the Interstate Commerce Commission in Case No. 1461, a reduction in track-storage charges at Long Island City, N. Y., and other stations named in application, must be put in force August 15, 1908, and for other good cause shown, it is

Ordered: That The Long Island Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 137, reducing the track-storage charges at Long Island City, N. Y., Bushwick, N. Y., Bushwick Junction, N. Y., East New York, N. Y., Flatbush Avenue, N. Y., and Bay Ridge, N. Y., as is required by the Interstate Commerce Commission order and as set forth in application; provided that a tariff naming the charge as is authorized by the order is filed with the Commission and posted at stations at least five (5) days in advance of the effective date to be specified therein as August 15, 1908. Such tariff shall be so filed and posted within eighteen (18) days from the date of this order and bear the following notation: "Issued under at least five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 483, of date July 22, 1908."

No. 484; July 23, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rate of one dollar and five cents (\$1.05) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight forty thousand (40,000) pounds, from Black Rock, N. Y., Buffalo Town, N. Y., East Buffalo, N. Y., Kensington, N. Y., Main Street (Buffalo), N. Y., and Walden Avenue (Buffalo), N. Y., to Pine City, N. Y.; provided that a tariff naming said rate is filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 901, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 484, of date July 23, 1908."

No. 485; July 24, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of one dollar and twenty-five cents (\$1.25) per net ton to apply upon shipments of Brick (Building), carloads, minimum weight forty thousand (40,000) pounds, from Cohoes, N. Y., to Middleville, N. Y.; provided that a tariff naming said rate is filed

with this Commission under P. S. C., 2 N. Y., No. 4283, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notations: "This tariff expires with the close of business August 12, 1908, after which date rates will be as per P. S. C., 2 N. Y., No. 4228, supplements thereto or superseding issues thereof;" and "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 485, of date July 24, 1908."

No. 486; July 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of five cents (\$0.05) per one hundred (100) pounds to apply upon shipments of Clay, carloads, minimum weight as per Official Classification, from Norwood, N. Y., to Harrisville, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4306, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 486, of date July 27, 1908."

No. 487; July 27, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), in connection with The New York Central and Hudson River Railroad Company and Raquette Lake Railway Company, be and is hereby authorized to establish rate of one dollar and ten cents (\$1.10) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Little Falls, N. Y., to Raquette Lake, N. Y., via N. Y. C. & H. R. R. Clearwater, N. Y., and Raquette Lake railway; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 1074, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 487, of date July 27, 1908."

No. 488; July 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Keuka Lake Transit Company, be and is hereby authorized to establish joint round-trip passenger fares from Pennsylvania division stations of the N. Y. C. & H. R. R. to stations reached by the Keuka Transit company, made on basis of local fares from N. Y. C. & H. R. R. stations to Penn Yan, N. Y., and local fares of the Keuka Transit company from Penn Yan, N. Y., to destination (the points from and to which the fares apply to be specified in the tariff); provided that a tariff naming said fares is filed with this Commission under P. S. C., 2 N. Y., No. 244, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 488, of date July 27, 1908."

No. 489; July 28, 1908; New York and Ottawa Railway Company:

Ordered: That the New York and Ottawa Railway Company, in connection with the Rutland Railroad Company, be and is hereby authorized

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to establish rate of sixty cents (\$0.60) per lineal cord to apply upon shipments of Listings, carloads, minimum twenty (20) lineal cords, from St. Regis Falls, N. Y., Santa Clara, N. Y., and Tupper Lake, N. Y., to Rouses Point, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 99, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 489, of date July 28, 1908."

No. 490; July 28, 1908; Rochester Railway Company:

Ordered: That the Rochester Railway Company, in connection with the Rochester and Suburban Railway Company and Rochester Electric Railway Company, be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 1, and make the same conform with the tariff rules; provided that such reissue is filed with this Commission under P. S. C., 2 N. Y., No. 3, and posted at stations at least five (5) days prior to the effective date to be specified therein as August 20, 1908. Such tariff shall be so filed and posted within eighteen (18) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 490, of date July 28, 1908."

No. 491; July 28, 1908; Rochester Electric Railway Company:

Ordered: That the Rochester Electric Railway Company be and is hereby authorized to establish, as named in application, the fares from and to various stations; provided a tariff naming said fares is filed with this Commission under P. S. C., 2 N. Y., No. 1, and posted at stations at least five (5) days prior to the effective date to be specified therein as August 20, 1908. Such tariff shall be so filed and posted within eighteen (18) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 491, of date July 28, 1908."

No. 492; July 28, 1908; Rochester and Suburban Railway Company:

Ordered: That the Rochester and Suburban Railway Company be and is hereby authorized to establish, as named in application, the fares from and to various stations; provided a tariff naming said fares is filed with this Commission under P. S. C., 2 N. Y., No. 1, and posted at stations at least five (5) days prior to the effective date to be specified therein as August 20, 1908. Such tariff shall be so filed and posted within eighteen (18) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 492, of date July 28, 1908."

No. 493; July 28, 1908; Rochester Railway Company:

Ordered: That the Rochester Railway Company be and is hereby authorized to cancel the fares contained in its tariff P. S. C., 2 N. Y., No. 1, applying to local traffic between points on the Rochester and Suburban railway and Rochester Electric railway, and joint fares applying between points on the Rochester railway and points on the lines of the Rochester and Suburban railway and Rochester Electric railway; provided that such cancellation notice is filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 1, and posted at stations at least five (5) days prior to the effective date to be specified therein as August 20, 1908, and state that future fares between the points referred to will be as named in Rochester and Suburban Railway Company's tariff P. S. C., 2 N. Y., No. 1; Rochester

Electric Railway Company's tariff P. S. C., 2 N. Y., No. 1; and Rochester Railway Company's tariff P. S. C., 2 N. Y., No. 3. Such cancellation notice shall be so filed and posted within eighteen (18) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 493, of date July 28, 1908."

No. 494; July 28, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish rate of three cents (\$0.03) per one hundred (100) pounds to apply upon shipments of Cucumbers and Cabbage (Green), carloads, minimum weight thirty thousand (30,000) pounds, in either direction, between Syosset, N. Y., and Greenlawn, N. Y., and Hicksville, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 172, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 494, of date July 28, 1908."

No. 495; July 28, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with other New York state railroad companies, be and is hereby authorized to establish rating of fifth-class on Dynamos and Gasoline or Gas Engines, Combined, and Turbines, when shipped in mixed carloads, minimum weight thirty thousand (30,000) pounds, in either direction, on intrastate traffic between The Delaware and Hudson Company stations or from The Delaware and Hudson Company stations to stations in New York state located on railroads parties to the schedule in which such rating is named; provided that a tariff establishing said rating is filed with this Commission under Supplement No. 24 to P. S. C., 2 N. Y., No. 3, and posted at stations at least twenty (20) days prior to the effective date to be specified therein as September 1, 1908. Such tariff shall be so filed and posted within fifteen (15) days from the date of this order and bear the following notation: "Issued on twenty (20) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 495, of date July 28, 1908."

No. 496; July 29, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), in connection with the Boston and Albany Railroad Company, and Rutland Railroad Company, be and is hereby authorized to establish rate of one dollar and fifty cents (\$1.50) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from South Bethlehem, N. Y., to Brainard, N. Y., via Albany, N. Y., B. & A. R. R.; Chatham, N. Y., and Rutland railroad; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 1078, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 496, of date July 29, 1908."

No. 497; July 30, 1908; New York and Ottawa Railway Company:

Ordered: That the New York and Ottawa Railway Company, in connection with The New York Central and Hudson River Railroad Company, be

and is hereby authorized to establish rate of two dollars and fifty cents (\$2.50) per cubic cord to apply upon shipments of Rossed Pulp-wood, carloads, minimum ten (10) cubic cords, from Derrick, N. Y., Santa Clara, N. Y., Meno, N. Y., and St. Regis Falls, N. Y., to Watertown, N. Y., and Brownville, N. Y., via Moira, N. Y., and the New York Central and Hudson River railroad; provided that a tariff naming said rate is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 497, of date July 30, 1908."

No. 498; July 31, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel rate named in tariff P. S. C., 2 N. Y., No. 732, as applying upon shipments of Wood Pulp Board from Lockport, N. Y., to New York, N. Y., and Brooklyn, N. Y., stations named; provided that a tariff making such cancellation is filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 732, and posted at stations at least two (2) days prior to the effective date to be specified as August 6, 1908. Such supplement shall include the matter now contained in Supplement No. 1, and be so posted and filed within five (5) days from the date of this order and bear the following notation: "Issued on two (2) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 498, of date July 31, 1908."

No. 499; July 31, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of seven cents (\$0.07) per one hundred (100) pounds to apply upon shipments of Lime, carloads, minimum weight forty thousand (40,000) pounds, from Natural Bridge, N. Y., to Red Creek, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4352, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 499, of date July 31, 1908."

No. 500; August 3, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of sixty cents (\$0.60) per net ton to apply upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Penn Yan, N. Y., to Geneva, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4349, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 500, of date August 3, 1908."

No. 501; August 3, 1908; West Shore Railroad (N. Y. C. & H. R. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. R. Co. Lessee) be and is hereby authorized to establish rate of seventy cents (\$0.70) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from South Bethlehem, N. Y., to Whiteport, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 1116, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 501, of date August 3, 1908."

No. 502; August 3, 1908; Eastern New York Railroad Company:

Ordered: That the Eastern New York Railroad Company be and is hereby authorized to establish, as named in the application, the rates from and to various points on its line of railroad; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 2, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 502, of date August 3, 1908."

No. 503; August 5, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with The Delaware, Lackawanna and Western Railroad Company, be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 1643, and include therein Mechanicville, N. Y., as a station in Group 2 from which rates named will apply; provided that such reissue is filed with this Commission under P. S. C., 2 N. Y., No. 1671, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 503, of date August 5, 1908."

No. 504; August 5, 1908; New York and Albany Transportation Company:

Ordered: That the New York and Albany Transportation Company, in connection with The Delaware and Hudson Company and The Long Island Railroad Company, be and is hereby authorized to establish one-way and round-trip fares from Albany, N. Y., to stations on the Long Island railroad via New York, N. Y., made on basis of local fares of the New York and Albany Transportation Company from Albany to New York plus local fares of The Long Island Railroad Company from New York, N. Y., to destination; also to correct its tariff P. S. C., 2 N. Y., No. 1, by changing the round-trip fares shown therein as applying from New York, N. Y., to Watervliet, N. Y., and Troy, N. Y., and return, from \$2.18 and \$2.20, respectively, to \$2.00; provided that a tariff making such additions and corrections is filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 1, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within twelve (12) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 504, of date August 5, 1908."

No. 505; August 6, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish, in connection with the West Shore Railroad (N. Y. C.

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& H. R. R. Co., Inc., via Penn Station, N. Y., rate of one dollar and forty cents (\$1.40) per ton for 100 cubic feet of brick, common, standard, which may be sent forty thousand (4,000) pounds from Montauk, N. Y., and intermediate stations on The Delaware and Hudson Company, to Freeland, N. Y., and intermediate stations on the West Shore railroad, except as lower rates may now be in effect at points of origin and destination or be shown in the tariff; provided that a tariff naming such rate is filed with this Commission under P. S. C., 2 N. Y., No. 1677, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 505, of date August 6, 1908."

No. 506; August 6, 1908; The New York Central and Hudson River Railroad Company:

Upon application of The New York Central and Hudson River Railroad Company, filed July 29, 1908, and amended August 5, 1908, it appearing that Lyons Falls, N. Y., was shown in tariff P. S. C., 2 N. Y., No. 4223, as a West Shore railroad destination point in error, such station being located on the R. W. & O. division of the New York Central and Hudson River railroad, and to which point tariff P. S. C., 2 N. Y., No. 4244, covers the same rate upon the same commodities and from the same points of origin, and for other good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the West Shore Railroad (N. Y. C. & H. R. R. Co. lessee), be and is hereby authorized to cancel P. S. C., 2 N. Y., No. 4228, and supplement No. 1 thereto, and to reissue such tariff without change except to remove station shown as Lyons Falls, N. Y., and rates applying thereto; provided that a tariff naming such rates is filed with this Commission under P. S. C., 2 N. Y., No. 4314, and posted at stations at least three (3) days prior to the effective date to be specified as August 13, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 506, of date August 6, 1908."

No. 507; August 6, 1908; Montauk Steamboat Company (Limited):

Ordered: That the Montauk Steamboat Company (Limited) be and is hereby authorized to establish one-way fare of thirty cents (\$0.30) and round trip fare of fifty cents (\$0.50) to apply to the transportation of passengers in either direction between New York, N. Y., and Great Neck, N. Y., Glen Cove, N. Y., Sea Cliff, N. Y., Glenwood, N. Y., and South Glenwood, N. Y.; provided that a tariff naming said fares is filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 1, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 507, of date August 6, 1908."

No. 508; August 7, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. lessee):

Upon application of the West Shore Railroad (N. Y. C. & H. R. R. Co. lessee), filed August 6, 1908, it appearing that a track siding has been completed to the plant of the Jameaville Reservoir Ice Company and a necessity exists to provide a switching charge for movement of carload freight, in either direction, to and from such siding and West Shore railroad connec-

tion with the Delaware, Lackawanna and Western railroad, it is, upon good cause shown,

Ordered: That the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee) be and is hereby authorized to establish rate of five dollars (\$5.00) per car as a switching charge for the movement of all carload freight (except Coal, Coke, Live Stock, and Dressed Meats) in either direction from or to connection with the Delaware, Lackawanna and Western railroad and track siding known as the Jamesville Reservoir Ice Company siding; provided that a tariff naming said rate is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 508, of date August 7, 1908."

No. 509; August 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That the New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of three cents (\$.03) per one hundred (100) pounds to apply upon shipments of Wood (Pulp), carloads, minimum weight forty thousand (40,000) pounds, from Canton, N. Y., to Felts Mills, N. Y., and Brownville, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4419, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 509, of date August 7, 1908."

No. 510; August 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee), be and is hereby authorized to establish rate of seventy-five cents (\$.75) per net ton to apply upon shipments of ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum be less than forty thousand (40,000) pounds, from Carthage, N. Y., to Vernon, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4422, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 510, of date August 7, 1908."

No. 511; August 7, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish rate of sixty cents (\$.60) per net ton to apply upon shipments of ice, carloads, minimum weight forty thousand (40,000) pounds, from Delhi, N. Y., to Youngs, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 1072, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 511, of date August 7, 1908."

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No. 512; August 10, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish on Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, when marked capacity of car will govern, but in no case shall minimum weight be less than forty thousand (40,000) pounds, rates per net ton from Byron Center, N. Y., to North Tonawanda, N. Y., of sixty-five cents (\$0.65); to Niagara Falls, N. Y., seventy-five cents (\$0.75); and Rochester, N. Y., sixty cents (\$0.60); also in connection with The New York Central and Hudson River Railroad Company joint rates per net ton from Byron Center, N. Y., for movement through the New York Central and Hudson River railroad east bound junction point to South Greece, N. Y., Spencerport, N. Y., Adams Basin, N. Y., Brockport, N. Y., and Holley, N. Y., eighty-five cents (\$0.85); to Fancher, N. Y., Albion, N. Y., Eagle Harbor, N. Y., and Knowlesville, N. Y., one dollar (\$1.00); for movement through the New York Central and Hudson River railroad west bound junction point to Crittenden, N. Y., seventy-five cents (\$0.75); Gasport, N. Y., Middleport, N. Y., and Medina, N. Y., eighty-five cents (\$0.85); to Knowlesville, N. Y., Eagle Harbor, N. Y., Albion, N. Y., and Fancher, N. Y., one dollar (\$1.00); provided that a tariff naming said rates and containing the provision that the rate from Byron Center, N. Y., in either direction, to any intermediate point not named will be the same as the rate named to next point beyond to which rate is shown in the tariff; except in such cases where lower rates are now in force, in which cases such lower rates and stations to which they apply must be shown in the tariff, is filed with this Commission under P. S. C., 2 N. Y., No. 1163, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 512, of date August 10, 1908."

No. 513; August 11, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rate of one dollar and five cents (\$1.05) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight forty thousand (40,000) pounds, from Black Rock, N. Y., Buffalo Town, N. Y., East Buffalo, N. Y., Kensington, N. Y., Main Street, N. Y., and Walden Avenue, N. Y., to Seeley Creek, N. Y.; provided that a tariff naming said rate is filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 901, and posted at stations at least three (3) days prior to the effective date specified therein. Such tariff shall be so filed and posted within ten (10) days from the date of this order; shall contain the provision that the rates named therein will also apply from and to any station not shown in the tariff intermediate between any point of origin and point of destination, except in such cases where lower rates are now in force, in which cases such rates are to be shown in the tariff, and shall bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 513, of date August 11, 1908."

No. 514; August 11, 1908; Boston and Maine Railroad:

Ordered: That the Boston and Maine Railroad be and is hereby authorized to change Rule 17 of tariff P. S. C., 2 N. Y., No. 158, to read as follows: "Rule 17. When freight tariffs issued by the railroad, and on file with the Interstate Commerce Commission, or the Public Service Commission, Second District, State of New York, provide special rules or charges at holding or transfer points in conflict with these car service rules and regulations, the special rules and charges covered by such tariffs shall prevail and govern."

Provided that a tariff making such change is filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 158, and posted at stations at least six (6) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on six (6) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 514, of date August 11, 1908."

No. 515; August 13, 1908; Boston and Maine Railroad:

Ordered: That the Boston and Maine Railroad, in connection with the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), be and is hereby authorized to establish rate of one dollar and forty cents (\$1.40) per net ton to apply upon shipments of Brick (Common), carloads, minimum weight forty thousand (40,000) pounds, from Mechanicville, N. Y., and intermediate stations on the Boston and Maine railroad to Frankfort, N. Y., and intermediate stations on the West Shore railroad, except as lower rates may now be in effect, all points of origin and destination to be shown in the tariff; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 206, and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 515, of date August 13, 1908."

No. 516; August 13, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Little Falls and Dolgeville Railroad Company, be and is hereby authorized to establish rate of one dollar per net ton to apply upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case the marked capacity will govern, but in no case shall the minimum be less than forty thousand (40,000) pounds, from Carthage, N. Y., to Dolgeville, N. Y., via Little Falls, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4454, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order; shall contain the provision that the rates named therein will also apply from any N. Y. C. & H. R. R. R. point of origin intermediate between Carthage, N. Y., and Little Falls, N. Y., to any Little Falls and Dolgeville railroad point of destination intermediate between Little Falls, N. Y., and Dolgeville, N. Y., except in instances where lower rates are now in force, in which cases such lower rates are to be shown in the tariff; and shall contain the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 516, of date August 13, 1908."

No. 517; August 13, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), in connection with The Delaware, Lackawanna and Western Railroad Company, be and is hereby authorized to establish rate of ninety-five cents (\$0.95) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Little Falls, N. Y., to Fulton, N. Y., via Syracuse, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 1196,

and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order; shall contain the provision that the rates named therein will also apply from any West Shore railroad point of origin intermediate between Little Falls, N. Y., and Syracuse, N. Y., to any Delaware, Lackawanna and Western railroad point of destination intermediate between Syracuse, N. Y., and Fulton, N. Y., except in instances where lower rates are now in force, in which cases such lower rates are to be shown in the tariff; and shall bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 517, of date August 13, 1908."

No. 518; August 13, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish rate of fourteen cents (\$0.14) per one hundred (100) pounds to apply upon shipments of Potatoes, carloads, minimum weight thirty thousand (30,000) pounds, from Amagansett, N. Y., and other stations named in application, to 33d Street station, New York city, N. Y. (New York Central and Hudson River railroad delivery); provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 177, and posted at stations the day upon which said rate becomes effective. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. 518, of date August 13, 1908."

No. 519; August 14, 1908; West Shore Railroad (N. Y. C. & H. R. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), in connection with The Delaware and Hudson Company, be and is hereby authorized to establish rate of seventy-five cents (\$0.75) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from South Bethlehem, N. Y., to Mechanicville, N. Y., via South Schenectady, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 1203, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order; shall contain the provision that the rates named therein will also apply from any West Shore railroad point of origin intermediate between South Bethlehem, N. Y., and South Schenectady, N. Y., to any Delaware and Hudson company point of destination intermediate between South Schenectady, N. Y., and Mechanicville, N. Y., except in instances where lower rates are now in force, in which cases such lower rates are to be shown in the tariff; and shall bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 519, of date August 14, 1908."

No. 520; August 17, 1908; New York and Ottawa Railway Company:

Ordered: That the New York and Ottawa Railway Company, in connection with the Rutland Railroad Company, be and is hereby authorized to establish rate of one dollar and fifty cents (\$1.50) per cubic cord to apply upon shipments of Wood for fuel (Cordwood, Blockwood, and Slabwood), carloads, minimum to be twelve (12) cubic cords when loaded in box cars and sixteen (16) cubic cords when loaded in rack cars, from Tupper Lake, N. Y., Tupper Lake Junction, N. Y., Derrick, N. Y., Bay Pond, N. Y., Meno, N. Y., Spring Cove, N. Y., Santa Clara, N. Y., St. Regis Falls, N. Y., Dickinson Center, N. Y., to Burke, N. Y., and Chateaugay, N. Y., via Moira, N. Y., and Rutland railroad; provided that a tariff naming said rate is filed with

this Commission and posted at stations at least five (5) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order; contain the provision that the rates named therein also apply from any point of origin on the New York and Ottawa railway intermediate between Tupper Lake, N. Y., and Moira, N. Y., to any point of destination on the Rutland railroad intermediate between Moira, N. Y., and Chateaugay, N. Y., except that in cases where lower rates are now in force such lower rates are to be named in the tariff; and bear the following notation: "Issued on five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 520, of date August 17, 1908."

No. 521; August 17, 1908; Lehigh Valley Railroad Company:

Ordered: That the Lehigh Valley Railroad Company be and is hereby authorized to establish rate of five cents (\$0.05) per one hundred (100) pounds to apply upon carload shipments of Grain and Grain Products from Buffalo, N. Y., to points taking same rates, to be shown in Note 1 of tariff, to Pre-emption, N. Y.; also rate of four cents (\$0.04) per one hundred (100) pounds to apply upon shipments of Grain Products from Buffalo, N. Y., and points taking same rates, to be shown in Note 1 of tariff, to Rochester, N. Y.; provided that a tariff naming said rates is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 521, of date August 17, 1908."

No. 522; August 17, 1908; application of W. R. Crow, Agent Erie Railroad Company:

Ordered: That W. R. Crow, Agent Erie Railroad Company, be and is hereby authorized to correct tariff P. S. C., 2 N. Y., No. 1, by adding to the list of participating carriers the concurrence form and number of such carriers on file with this Commission; provided that a tariff making such addition is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 522, of date August 17, 1908."

No. 523; August 17, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), locally and jointly in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish, as named in application, the rates from and to various stations located on the West Shore railroad and the New York Central and Hudson River railroad; provided that a tariff naming said rates is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 523, of date August 17, 1908."

No. 524; August 17, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, locally and jointly in connection with the West Shore Railroad (The

New York Central and Hudson River Railroad Company, Lessee), be and is hereby authorized to establish, as named in application, the rates from and to various stations located on the New York Central and Hudson River railroad and the West Shore railroad; provided that a tariff naming said rates is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 524, of date August 17, 1908."

No. 524a; August 17, 1908; Oneonta and Mohawk Valley Railroad Company:

Ordered: That the Oneonta and Mohawk Valley Railroad Company be and is hereby authorized to establish local passenger fare of one dollar and five cents (\$1.05) from Oneonta, N. Y., to Mohawk, N. Y., and return, tickets to be sold August 18, 1908, for train No. 5 only, and good for return on any regular train August 18 to 31, 1908, inclusive; provided that a tariff naming said fare is filed with this Commission and posted at stations within one (1) day from the date of this order.

No. 524b; August 17, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to cancel its tariff P. S. C., 2 N. Y., No. 143, by the issuance of a superseding tariff establishing second-class round-trip fares for parties of ten (10) or more from Albany, N. Y., to various stations and at the per capita fares as named in application; provided that a tariff naming said fares is filed with this Commission under P. S. C., 2 N. Y., No. 148, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within one (1) day from the date of this order.

No. 525; August 20, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish rate of eighty-five cents (\$0.85) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Akron, N. Y., to Corning, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 1214, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order; shall contain the provision that the rate named therein will also apply from Akron, N. Y., or any West Shore railroad point of origin directly intermediate between Akron, N. Y., and junction point with the New York Central and Hudson River railroad to Corning, N. Y., or any point of destination on the New York Central and Hudson River railroad directly intermediate between junction point with West Shore railroad and Corning, N. Y., except that in cases where lower rates are now in force such lower rates are to be named in the tariff; and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 525, of date August 20, 1908."

No. 526; August 20, 1908; The Pennsylvania Railroad Company:

Ordered: That The Pennsylvania Railroad Company be and is hereby authorized to establish the rates as named in application to cover the movement in freight train service of disbanded circus and show outfits; provided that a tariff naming said rates is filed with this Commission under G. O., P. S. C., 2 N. Y., No. 111, and posted at stations at least one (1) day prior

to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 526, of date August 20, 1908."

No. 526a; August 20, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to cancel its tariff P. S. C., 2 N. Y., No. 148, account containing typographical error in not establishing the fares upon a per capita basis, and to reprint the schedule establishing second-class round-trip per capita fares for parties of ten (10) or more from Albany, N. Y., to various stations and at the fares as named in application; provided that a tariff making such cancellation is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within one (1) day from the date of this order.

No. 527; August 21, 1908; The Pittsburg, Shawmut and Northern Railroad Company:

Ordered: That The Pittsburg, Shawmut and Northern Railroad Company be and is hereby authorized to establish a regulation providing that property (except race horses) offered at time of shipment for transportation as an exhibit at a State, County, or Agricultural Association Fair or Exhibitions, upon return will be transported between the same points in the reverse direction of forwarding movement free of charge; provided that a tariff containing such provision is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 527, of date August 21, 1908."

No. 528; August 21, 1908; The New York Central and Hudson River Railroad Company:

Upon application of The New York Central and Hudson River Railroad Company, filed August 19, 1908, it appearing that tariff P. S. C., 2 N. Y., No. 4324, issued July 30, 1908, effective August 31, 1908, contained only rates applicable to interstate traffic, but through an error the tariff was made to supersede a schedule containing rates applicable to state traffic; and for other good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a schedule as supplement to its tariff P. S. C., 2 N. Y., No. 4324, removing therefrom the P. S. C., 2 N. Y., serial number; it is further

Ordered: That the said The New York Central and Hudson River Railroad Company be and is hereby authorized to issue a supplement to its tariff P. S. C., 2 N. Y., No. 1594, canceling the rates named therein applying to New York state traffic, and referring to tariffs P. S. C., 2 N. Y., Nos. 1918 and 3737, supplements thereto or superseding issues thereof, for future rates; provided that tariffs containing such changes are filed with this Commission and posted at stations at least three (3) days prior to the effective dates to be specified therein as August 31, 1908. Such tariffs shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 528, of date August 21, 1908."

No. 529; August 21, 1908; The New York Central and Hudson River Railroad Company:

Upon application of The New York Central and Hudson River Railroad Company, filed August 19, 1908, it appearing that the St. Lawrence County

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Agricultural Society Fair has been abandoned, and for other good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its local passenger tariff P. S. C., 2 N. Y., No. 243, and cancel section 2 contained therein, which provides for the sale of excursion round-trip tickets at reduced fare from various local stations to Canton, N. Y., on September 15, 16, 17, and 18, 1908; provided that a tariff making said cancellation of excursion round-trip fares is filed with the Commission and posted at stations at least fifteen (15) days prior to the effective dates specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on fifteen (15) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 529, of date August 21, 1908."

No. 530; August 25, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, when marked capacity of car will govern, but in no case shall minimum be less than forty thousand (40,000) pounds, from Copake Iron Works, N. Y., to Chatham, N. Y., rate of seventy-five cents (\$0.75); to Somers Center, N. Y., rate of ninety cents (\$0.90); and from Millerton, N. Y., to Somers Center, N. Y., rate of eighty-five cents (\$0.85) per net ton; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 4694, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 530, of date August 25, 1908."

No. 531; August 25, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the New York, Ontario and Western Railway Company, be and is hereby authorized to establish rate of one dollar and thirty-five cents (\$1.35) per gross ton to apply upon shipments of Iron (Pig), carloads, minimum weight twenty-five (25) gross tons, except that when the marked capacity of car is less than the marked capacity will govern, but in no case shall the minimum be less than fifteen (15) gross tons, from Charlotte, N. Y., to Munns, N. Y., via Oneida, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4675, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order; shall contain the provision that the rate named therein will also apply from Charlotte, N. Y., or any station on the New York Central and Hudson River railroad intermediate between Charlotte, N. Y., and Oneida, N. Y., to Munns, N. Y., or any station on the New York, Ontario and Western railway intermediate between Oneida, N. Y., and Munns, N. Y., except that in cases where lower rates are now in force such lower rates shall be shown in the tariff; and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 531, of date August 25, 1908."

No. 532; August 25, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of fifty cents (\$0.50) per

net ton to apply upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds, except that when marked capacity of car is less than the marked capacity will govern, but in no case shall the minimum be less than forty thousand (40,000) pounds, from Canandaigua, N. Y., to Geneva, N. Y., Waterloo, N. Y., and Seneca Falls, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4704, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order; shall contain the provision that the rates named therein will also apply from Canandaigua, N. Y., and any station intermediate between Canandaigua, N. Y., and Seneca Falls, N. Y., to Seneca Falls, N. Y., or any intermediate station, except that in cases where lower rates are now in force such lower rates shall be shown in the tariff; and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 532, of date August 25, 1908."

No. 533; August 25, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, locally and jointly in connection with the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), be and is hereby authorized to establish, as named in application, the rates from and to various stations located on the New York Central and Hudson River railroad and the West Shore railroad; provided that a tariff naming said rates is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 533, of date August 25, 1908."

No. 534; August 25, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), locally and jointly in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish, as named in application, the rates from and to various stations on the West Shore railroad and the New York Central and Hudson River railroad; provided that a tariff naming said rates is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 534, of date August 25, 1908."

No. 535; August 25, 1908; The Lehigh and Hudson River Railway Company:

Ordered: That The Lehigh and Hudson River Railway Company be and is hereby authorized to establish, in connection with the Erie Railroad Company, rate of fifty cents (\$0.50) per net ton to apply upon shipments of Ice, carloads, minimum weight twenty (20) net tons, from Burnside, N. Y., to Otisville, N. Y., and Washingtonville, N. Y., via Greycourt, N. Y., and Erie railroad; provided that a tariff naming said rate is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 535, of date August 25, 1908."

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No. 536; August 25, 1908; W. F. Wilson, Agent The Lake Shore and Michigan Southern Railway Company:

Ordered: That W. F. Wilson, Agent The Lake Shore and Michigan Southern Railway Company, be and is hereby authorized to cancel the regulations 7 and 7(a) shown on page 38, and regulations 1(e) and 1(f) shown on page 73 of P. S. C., 2 N. Y., No. 2, and establish instead the regulations as named in application; provided that a tariff making such cancellation is filed with this Commission and posted at stations at least fifteen (15) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on fifteen (15) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 536, of date August 25, 1908."

No. 537; August 26, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish the fares named in application for the sale of Commutation and School tickets between New York (155th Street), N. Y., and various stations on the Putnam division via 155th Street, and to include in the tariff in which such fares are established the reissue of the Commutation fares, both local and joint, in connection with the Interborough Rapid Transit Company and West Shore railroad (The New York Central and Hudson River Railroad Company, Lessee), contained in tariff P. S. C., 2 N. Y., No. 55; provided that a tariff naming said fares is filed with this Commission under P. S. C., 2 N. Y., No. 272, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 537, of date August 26, 1908."

No. 538; August 27, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to correct Supplement No. 12 to tariff P. S. C., 2 N. Y., No. 250, by changing the switching charge applying on cars containing less than five thousand (5000) pounds or not loaded to full cubic capacity switched account Yawman & Erbe Manufacturing Company at Rochester, N. Y., from two dollars and ninety cents (\$2.90) per car to two dollars (\$2.00) per car; provided that a tariff making said correction is filed with this Commission and posted at stations at least twenty (20) days prior to the effective date to be specified therein as September 21, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on twenty (20) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 538, of date August 27, 1908."

No. 539; August 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to correct Supplement No. 12 to P. S. C., 2 N. Y., No. 963, by changing the switching charge applying on cars containing less than five thousand (5000) pounds or not loaded to full cubic capacity switched account Yawman & Erbe Manufacturing Company at Rochester, N. Y., from two dollars and ninety cents (\$2.90) per car to two dollars (\$2.00) per car; provided that a tariff making said correction is filed with this Commission and posted at stations at least twenty (20) days prior to the effective date specified in such tariff as September 21, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the

following notation: "Issued on twenty (20) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 539, of date August 27, 1908."

No. 540; August 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That the New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of one and one-half cents (\$0.01½) per one hundred (100) pounds to apply upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, from Felts Mills, N. Y., to Carthage, N. Y.; provided that a tariff naming said rate is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 540, of date August 27, 1908."

No. 541; August 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish, as named in application, the rates from and to various stations to apply upon shipments of Apples (Green, Dried, or Evaporated), Pears, Onions, Cabbage, Pumpkins, and Squash, car-loads, minimum weight as per Official Classification; provided that a tariff naming said rates is filed with this Commission under Supplement No. 2 to P. S. C., 2 N. Y., No. 4528, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 541, of date August 27, 1908."

No. 542; August 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a regulation providing that shipments of Peaches, Pears, Plums, and Quinces when in lots of ten thousand (10,000) pounds or more from one consignor to one consignee and destination, will be accepted without marking of packages; provided that a tariff containing such regulation is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 542, of date August 27, 1908."

No. 543; August 27, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish a regulation providing that shipments of Peaches, Pears, Plums, and Quinces when in lots of ten thousand (10,000) pounds or more from one consignor to one consignee and destination, will be accepted without marking of packages; provided that a tariff containing such regulation is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 543, of date August 27, 1908."

No. 544; August 27, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to establish a regulation providing that shipments of Peaches, Pears, Plums, and Quinces when in lots of ten thousand (10,000) pounds or more from one consignor to one consignee and destination, will be accepted without marking of packages; provided that a tariff containing such regulation is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 544, of date August 27, 1908."

No. 546; August 28, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish a regulation providing that shipments of Peaches, Pears, Plums, and Quinces when in lots of ten thousand (10,000) pounds or more from one consignor to one consignee and destination, will be accepted without marking of packages; provided that a tariff containing such regulation is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within fifteen (15) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 546, of date August 28, 1908."

No. 547; August 28, 1908; Lehigh Valley Railroad Company:

Ordered: That the Lehigh Valley Railroad Company be and is hereby authorized to establish a regulation providing that shipments of Peaches, Pears, Plums, and Quinces when in lots of ten thousand (10,000) pounds or more from one consignor to one consignee and destination, will be accepted without marking of packages; provided that a tariff containing such regulation is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 547, of date August 28, 1908."

No. 548; August 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Lehigh Valley Railroad Company, be and is hereby authorized to establish a rate of one dollar and fifty cents (\$1.50) per net ton to apply upon shipments of Brick (Common), carloads, minimum weight as per Official Classification, from Corning, N. Y., and all stations on the New York Central and Hudson River railroad directly intermediate between Corning, N. Y., and Geneva, N. Y., to Aurora, N. Y., and all stations on the Lehigh Valley railroad directly intermediate between Geneva, N. Y., and Aurora, N. Y., except where lower rates are now in force, all points of origin and destination to be named in the tariff; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4723, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 548, of date August 28, 1908."

No. 549; August 28, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish rate of sixty-five cents (\$0.65) per net ton to apply upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Pattersonville, N. Y., to Skaneateles Junction, N. Y., the said rate not to be exceeded to or from intermediate points; provided that a tariff naming said rate between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which traffic above described is the subject of sale and transportation, is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within twenty (20) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 549, of date August 28, 1908."

No. 550; August 31, 1908; The Pennsylvania Railroad Company:

Ordered: That The Pennsylvania Railroad Company be and is hereby authorized to establish a regulation providing that shipments of Peaches, Pears, Plums, and Quinces when in lots of ten thousand (10,000) pounds or more from one consignor to one consignee and destination, will be accepted without marking of packages; provided that a tariff containing such regulation is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 550, of date August 31, 1908."

Complete by Supplement No. 1 to G. O., P. S. C. No. 113, effective September 7, 1908.

No. 551; August 31, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish a regulation providing that shipments of Peaches, Pears, Plums, and Quinces when in lots of ten thousand (10,000) pounds or more from one consignor to one consignee and destination, will be accepted without marking of packages; provided that a tariff containing such regulation is filed with this Commission and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 551, of date August 31, 1908."

Complete by Supplement No. 4 to P. S. C. No. 950, effective September 8, 1908.

No. 552; September 3, 1908; Erie Railroad Company (west of Salamanca, N. Y.):

Ordered: That the Erie Railroad Company be and is hereby authorized to establish a regulation providing that shipments of Peaches, Pears, Plums, and Quinces when in lots of ten thousand (10,000) pounds or more from one consignor to one consignee and destination, will be accepted without marking of packages; provided that a tariff containing such regulation is filed with the Commission and posted at stations at least three (3) days

prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 552, of date September 3, 1908."

Complete by Supplement No. 63 to P. S. C. No. A-45, effective September 15, 1908.

No. 553; August 31, 1908; The Delaware and Hudson Company and Boston and Maine Railroad:

Ordered: That The Delaware and Hudson Company and the Boston and Maine Railroad be and are hereby authorized to correct their tariffs respectively P. S. C., 2 N. Y., Nos. 80 and 20, and establish the following class rates in cents per one hundred (100) pounds: First class, thirty cents (\$0.30); second class, twenty-five cents (\$0.25); third class, eighteen cents (\$0.18); fourth class, sixteen cents (\$0.16); fifth class, twelve cents (\$0.12); sixth class, eight cents (\$0.08); to apply in either direction between The Delaware and Hudson Company, New York state stations Greenfield, Kings, South Corinth, Corinth, Hadley, Stony Creek, Thurman, Warrensburg, The Glen, Riverside, North Creek; and Boston and Maine Railroad, New York state stations Petersburgh Junction, Hoosick, Hoosick Falls, Hoosick Junction, North Hoosick, Walloomsac, White Creek, Buskirk, East Buskirk, Johnsonville, Valley Falls, East Schaghticoke, Melrose, Lansingburgh, West Valley Falls, Schaghticoke, Reynolds, Stillwater, Wayville, Schuyerville, Usher, Elnora, Scotia, Rotterdam Junction; provided that a tariff naming said rates is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 553, of date August 31, 1908."

Complete by Supplement No. 11 to B. & M. P. S. C. No. 20, and D. & H. P. S. C. No. 80, effective September 14, 1908.

No. 554; August 31, 1908; Rutland Railroad Company:

Ordered: That the Rutland Railroad Company be and is hereby authorized to establish a rate of twelve cents (\$0.12) per can to apply upon shipments of Milk (Fluid), in forty-quart cans, less carloads, from New Lebanon, N. Y., and all stations directly intermediate between New Lebanon, N. Y., and Old Chatham, N. Y., to Old Chatham, N. Y., except where lower rates are now in force, all points of origin and destination to be named in the tariff; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 197, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 554, of date August 31, 1908."

Complete by P. S. C. No. 197, effective September 4, 1908.

No. 555; September 1, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of eighteen cents (\$0.18) per barrel to apply upon shipments of Apples and Pears, in barrels, less carloads, from Castleton, N. Y., Stuyvesant, N. Y., Newton Hook, N. Y., Greendale, N. Y., Tivoli, N. Y., Barrytown, N. Y., Hyde Park, N. Y., and Poughkeepsie, N. Y., to Barclay Street station, New York city; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4742, and posted at stations at least one (1) day prior to the

effective date specified in such tariff, which effective date shall not be later than September 26, 1908. Such tariff shall be so filed and posted within twenty-five (25) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 555, of date September 1, 1908."

Complete by P. S. C. No. 4742, effective September 24, 1908.

No. 556; September 1, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, locally and jointly in connection with the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), be and is hereby authorized to establish rate of thirty cents (\$0.30) per net ton to apply upon shipments of Calcium (Chloride of), carloads, in tank cars, minimum weight as per Official Classification, from Solvay, N. Y., to Syracuse, N. Y. (the New York Central and Hudson River railroad or West Shore railroad delivery), and including State Fair Grounds; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4735, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 556, of date September 1, 1908."

Complete by P. S. C. No. 4735, effective September 8, 1908.

No. 557; September 1, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), be and is hereby authorized to establish rate of eighty cents (\$0.80) per net ton to apply upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds, except that where the marked capacity of car is less the marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Carthage, N. Y., to Indian Castle, N. Y., the said rate not to be exceeded to or from intermediate points; provided that a tariff naming said rate between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with this Commission under P. S. C., 2 N. Y., No. 4743, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within twenty (20) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 557, of date September 1, 1908."

Complete by P. S. C. No. 4743, effective September 14, 1908.

No. 558; September 1, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish rates on Furnace Slag, carloads, minimum weight forty thousand (40,000) pounds, from Franklin Springs, N. Y., to stations on the New York Central and Hudson River railroad, as follows:

To	Per net ton.	Per net ton.	Per net ton.
Stations 130th St. to Castleton, N. Y., inclusive.....	\$1 80		
Rensselaer, N. Y., to Hoffmans, N. Y., inclusive.....	1 25		
Amsterdam, N. Y., to Little Falls, N. Y., inclusive.....	1 10		
Herkimer, N. Y., to Oriskany, N. Y., inclusive.....	85		
Verona, N. Y.....	90		
Wampsville, N. Y., to Syracuse, N. Y., inclusive.....	95		
Warners, N. Y., to Loch Berlin, N. Y., inclusive.....	1 10		
Solvay, N. Y., to Waterloo, N. Y., inclusive.....	1 10		
Lyons, N. Y., to Despatch, N. Y., inclusive.....	1 25		
Geneva, N. Y., to Canandaigua, N. Y., inclusive.....	1 25		
Paddlesford, N. Y., to Cartersville, N. Y., inclusive.....	1 25		
Wheeler's Siding, N. Y., to Honeyeoe Falls, N. Y.....	1 25		
Brighton, N. Y., to Rochester, N. Y., inc., including Charlotte Branch.....	1 25		
Otis, N. Y., to Ontario Beach, N. Y., inclusive.....	1 25		
West Rush, N. Y., to Getzville, N. Y.; Cold Water, N. Y., to Batavia, N. Y.; Alexandria, N. Y., Attica, and South Greece to and including Buffalo, N. Y., and Niagara Frontier stations.....	1 25	1 50	

To	Per net ton.	To	Per net ton.
Camden, N. Y.....	\$1 10	Lowville, N. Y.....	\$1 15
Adams, N. Y.....	1 25	Lyon's Falls, N. Y.....	1 15
Watertown, N. Y.....	1 60	Brownville, N. Y.....	1 10
Brownville, N. Y.....	1 25	Clayton, N. Y.....	1 65
Dexter, N. Y.....	1 25	Antwerp, N. Y.....	1 40
Chamont, N. Y.....	1 40	Canton, N. Y.....	2 00
Cape Vincent, N. Y.....	1 40	Norwood, N. Y.....	1 65
Sackets Harbor, N. Y.....	1 40	Massena Springs, N. Y.....	1 65
Ogdensburg, N. Y.....	1 65	Newport, N. Y.....	1 15
Gouverneur, N. Y.....	1 40	Pierfield, N. Y.....	1 40
Potsdam, N. Y.....	1 75	Fordham, N. Y.....	2 35
Black River, N. Y.....	1 25	Middleville, N. Y.....	1 15
Felts Mills, N. Y.....	1 25	Hinckley, N. Y.....	1 20
Carthage, N. Y.....	1 60	Malone, N. Y.....	1 65
Castorland, N. Y.....	1 15	Philmont, N. Y.....	2 85

Provided that a tariff naming said rates is filed with the Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. This order also includes authority to cancel, by supplement issue, tariff P. S. C., 2 N. Y., No. 1082, effective September 16, 1908, as the rates named in this schedule will be included in the tariff above authorized. Such tariffs shall be so filed and posted within twenty (20) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 558, of date September 1, 1908."

Complete by P. S. C. No. 1089 and Supplement No. 1 to P. S. C. No. 1082, effective September 19, 1908.

No. 559; September 3, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Pulp (Wood), carloads, minimum weight as per Official Classification, the rates from and to the stations as named below.

To	Dexter, N. Y.	Brownville, N. Y.	Watertown, N. Y.	Gouverneur, N. Y.	From
Sanfords, N. Y.....	3	3	3	..	
Evans, N. Y.....	3	3	3	..	
Philadelphia, N. Y.....	3	3	3	3	
Antwerp, N. Y.....	3	3	3	..	
Keenes, N. Y.....	3	3	3	..	
Gouverneur, N. Y.....	3	3	3	..	
Richville, N. Y.....	4	4	4	3	
DeKalb Junction, N. Y.....	4	4	4	3	
Canton, N. Y.....	4	4	4	..	

Rates in cents per 100 lbs.

The said rates not to be exceeded to or from intermediate points; provided that a tariff naming said rates between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with this Commission under P. S. C., 2 N. Y., No. 4749, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within twenty-five (25) days from the date of this order and bear the following notation: "Issued on one (1) day's

notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 559, of date September 3, 1908."

Complete by P. S. C. No. 4749, effective September 17, 1908.

No. 560; September 3, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish switching charge of three dollars and fifty cents (\$3.50) per car to apply upon carload shipments of Pulp (Wood) from Harmon Paper Company's siding at Felts Mills, N. Y., to Taggarts' Paper Company's siding at Felts Mills, N. Y.; provided that a tariff naming said charge is filed with this Commission under P. S. C. No. 4750, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 560, of date September 3, 1908."

Complete by P. S. C. No. 4750, effective September 11, 1908.

No. 561; September 4, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds, except that where marked capacity of car is less than the marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, rate of seventy-five cents (\$0.75) per net ton from Towners, N. Y., to Wingdale, N. Y., Dover Furnace, N. Y., and Dover Plains, N. Y.; and rate of fifty cents (\$0.50) per net ton to Dykemans, N. Y., Brewster, N. Y., Croton Falls, N. Y., Purdys, N. Y., and Goldens Bridge, N. Y.; the said rate not to be exceeded to or from intermediate points; provided that a tariff naming said rates between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which traffic above described is the subject of sale and transportation, is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within twenty (20) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 561, of date September 4, 1908."

Complete by P. S. C. No. 4757, effective September 18, 1908.

No. 562; September 4, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Apples, carloads, minimum weight as per Official Classification, when destined to Oneida, N. Y., the rates from the stations as named below:

From	Rate per 100 pounds.
Adams, N. Y.	8½c.
Altmar, N. Y.	7c.
Blossvale, N. Y.	6c.
Camden, N. Y.	7c.
Edison, N. Y.	8¼c.
Kasoag, N. Y.	7c.
Iacona, N. Y.	7½c.
Mannsville, N. Y.	8c.
McConnellsville, N. Y.	6¼c.
Pierrepont Manor, N. Y.	8c.
Rices, N. Y.	8½c.
Richland, N. Y.	7¾c.
Watertown, N. Y.	8½c.
Westdale, N. Y.	7c.
Williamstown, N. Y.	7c.

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From any station intermediate between a more distant point and Oneida, N. Y., the rate from the next more distant point named above shall apply to Oneida, N. Y., or any intermediate stations, except where lower rates are now in force, all points of origin and destination to be named in the tariff; provided that a tariff naming said rates is filed with the Commission under P. S. C., 2 N. Y., No. 4756, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 562, of date September 4, 1908."

Complete by P. S. C. No. 4756, effective September 12, 1908.

No. 563; September 5, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rate of fifty cents (\$0.50) per net ton to apply upon shipments of Ice, carloads, minimum weight twenty (20) net tons, from Rochester, N. Y., and all stations directly intermediate between Rochester, N. Y., and LeRoy, N. Y., to LeRoy, N. Y., and intermediate stations, except where lower rates are now in force, all points of origin and destination to be named in the tariff; provided a tariff naming said rate is filed with the Commission under P. S. C., 2 N. Y., No. 1025, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 563, of date September 5, 1908."

Complete by P. S. C. No. 1025, effective September 12, 1908.

No. 564; September 8, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 1008, and provide rate of ten cents (\$0.10) per one hundred (100) pounds, carloads, minimum weight as per Official Classification, and rate of sixteen and one-half cents (\$0.16½) per one hundred (100) pounds, less carloads, to apply upon shipments of Paper (Building, Printing, and Wrapping), Boxboard, Cardboard, and Wood Pulp Board from Lockport, N. Y., to Binghamton, N. Y., and Elmira, N. Y.; provided that a tariff making said rates is filed with this Commission and posted at stations at least five (5) days prior to the effective date to be specified therein as September 17, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 564, of date September 8, 1908."

No. 565; September 8, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Rutland Railroad Company, be and is hereby authorized to establish rate of eight cents (\$0.08) per one hundred (100) pounds to apply upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, from Carthage, N. Y., to Malone, N. Y., the said rate not to be exceeded to or from intermediate points; provided that a tariff naming said rate between the points above stated, and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with this Commission under P. S. C., 2 N. Y., No. 4744, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to

the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 565, of date September 8, 1908."

Complete by P. S. C. No. 4744, effective September 17, 1908.

No. 566; September 8, 1908; The New York Central and Hudson River Railroad Company and West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That The New York Central and Hudson River Railroad Company and West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), be and are hereby authorized to reissue their tariffs P. S. C., 2 N. Y., Nos. 273 and 101, respectively, changing the final return limit of tickets sold at fares named in column "B" from day following date of sale to second day following date of sale; provided that a tariff making said change is filed with this Commission under N. Y. C. & H. R. R. Co.'s P. S. C., 2 N. Y., No. 287, and W. S. R. R. Co.'s P. S. C., 2 N. Y., No. 107, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 566, of date September 8, 1908."

Complete by N. Y. C. & H. R. R. R., P. S. C. No. 287, and W. S., P. S. C. No. 107, effective September 12, 1908.

No. 567; September 8, 1908; West Shore Railroad (N. Y. C. & H. R. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish upon shipments of Grain and Grain Products, carloads, minimum weight as per Official Classification, the rates from and to the stations as named below:

From	Rates in cents per 100 pounds.		
	To Solvay, N. Y.	Fairmount, N. Y.	Camillus, N. Y.
Genesee Junction, N. Y.....	7	7	7
Maplewood, N. Y.....	7	7	7
Chill, N. Y.....	7	7	7
Churchville, N. Y.....	7	7	7
Bergen, N. Y.....	7	7	7
Byron Center, N. Y.....	7	7	7
Elba, N. Y.....	7	7	7
Oakfield, N. Y.....	7	7	7
Wheatville, N. Y.....	7	7	7
Alabama, N. Y.....	7	7	7
Akron, N. Y.....	7	7	7
Clarence, N. Y.....	7	7	7
Bowmansville, N. Y.....	7	7	7

Provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 1240, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 567, of date September 8, 1908."

Complete by P. S. C. No. 1240, effective September 12, 1908.

No. 568; September 8, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish, as named in application, the rates from and to various stations; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 4766, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1)

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day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 568, of date September 8, 1908."

Complete by P. S. C. No. 4766, effective September 17, 1908.

No. 569; September 9, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company, locally and jointly in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 99, and change the final return limit of tickets sold at fares named in columns "B" and "D" from the day following date of sale to the second day following the date of sale; provided that a tariff making such change is filed with this Commission under P. S. C., 2 N. Y., No. 107, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within one (1) day from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 569, of date September 9, 1908."

Complete by P. S. C. No. 107, effective September 12, 1908.

No. 570; September 9, 1908; The Pittsburg, Shawmut and Northern Railroad Company:

Ordered: That The Pittsburg, Shawmut and Northern Railroad Company be and is hereby authorized to establish a regulation providing that shipments of Peaches, Pears, Plums, and Quinces when in lots of ten thousand (10,000) pounds or more from one consignor to one consignee and destination, will be accepted without marking of packages; provided that a tariff containing such regulation is filed with this Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 570, of date September 9, 1908."

Complete by P. S. C. No. 130, effective September 21, 1908.

No. 571; September 9, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Cider Apples (in bulk), Apple Chops, Apple Cores, Apple Skins, and Apple Waste, carloads, minimum weight as per Official Classification, the rates from and to the stations named below:

To	From	
Red Creek, N. Y.....	Constable, N. Y.	Malone, N. Y.
Wolcott, N. Y.....	11c.	11c. per 100 lbs.
Sodus, N. Y.....	11c.	11c. per 100 lbs.
Webster, N. Y.....	13c.	13c. per 100 lbs.
Lockport, N. Y.....	13c.	13c. per 100 lbs.

Provided that a tariff naming said rates is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 571, of date September 9, 1908."

Complete by P. S. C. No. 4779, effective September 13, 1908.

No. 572; September 9, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Apples (Cider),

Chops (Apple), Cores (Apple), Skins (Apple), and Waste (Apple), carloads, minimum weight as per Official Classification, the rates from and to the stations as named below:

From	To Alton, N. Y.	Sodus, N. Y.	Williamson, N. Y.	Wolcott, N. Y.
Alton, N. Y. ....	...	4	5	4½
Crocketts, N. Y.	6	6½	7	5
Daysville, N. Y.	7½	7½	7½	7
Furness, N. Y.	7	7	7	6
Hannibal, N. Y.	6½	7	7	5½
Lakeside, N. Y.	5½	5	4½	6½
Mexico, N. Y.	7½	7½	7½	7
New Haven, N. Y.	7	7½	7½	7
Ontario, N. Y.	5½	5	4	6½
Oswego, N. Y.	7	7	7	6½
Pulaski, N. Y.	7½	7½	7½	7
Red Creek, N. Y.	5½	6	6½	4½
North Rose, N. Y.	4	4½	5½	4
Sodus, N. Y.	4	...	4½	5
Sterling, N. Y.	5½	6	7	4½
Scriba, N. Y.	7	7	7½	7
Union Hill, N. Y.	6	5½	4½	7
Webster, N. Y.	6	5½	5	7
Wallington, N. Y.	4	4	4½	5
Williamson, N. Y.	5	4½	...	6
Wolcott, N. Y.	4½	5	6	...

Provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 4780, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 572, of date September 9, 1908."

Complete by P. S. C. No. 4780, effective September 13, 1908.

No. 573; September 9, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), locally and jointly in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish, as named in the application, the rates from and to various stations to apply upon shipments of Apples (Cider) in bulk, Chops (Apple), Cores (Apple), Skins (Apple), and Waste (Apple), carloads, minimum weight as per Official Classification; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 1245, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 573, of date September 9, 1908."

Complete by P. S. C. No. 1245, effective September 13, 1908.

No. 574; September 9, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, locally and jointly in connection with the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), be and is hereby authorized to establish as named in application, the rates from and to various stations to apply upon shipments of Apples (Cider) in bulk, Chops (Apple), Cores (Apple), Skins (Apple), and Waste (Apple), carloads, minimum weight as per Official Classification; provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 4781, and posted at stations at least one day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on

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one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 574, of date September 9, 1908."

Complete by P. S. C. No. 4781, effective September 13, 1908.

No. 575; September 10, 1908; International Railway Company:

Ordered: That the International Railway Company be and is hereby authorized to establish the rules and regulations specified in the Official Classification No. 32; provided that a schedule containing such rules and regulations is filed with this Commission under P. S. C., 2 N. Y., No. 12, and posted at stations on the effective date to be specified as September 10, 1908. Such schedule shall be so filed and posted within one (1) day from the date of this order and bear the following notation: "Issued without notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 575, of date September 10, 1908."

Complete by P. S. C. No. 12, and Supplements Nos. 5 and 6, effective September 10, 1908.

No. 576; September 10, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish rate of four cents (\$0.04) per one hundred (100) pounds to apply upon shipments of Brick, carloads, minimum weight as per Official Classification, from Little Falls, N. Y., to Dolgeville, N. Y., the said rate not to be exceeded to or from intermediate points; provided that a tariff naming said rate between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 86, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 576, of date September 10, 1908."

Complete by P. S. C. No. 86, effective September 21, 1908.

No. 577; September 10, 1908; Lehigh Valley Railroad Company:

Ordered: That the Lehigh Valley Railroad Company, in connection with The New York Central and Hudson River Railroad Company and the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), be and is hereby authorized to change the final return limit of tickets sold at fares named in its tariff P. S. C., 2 N. Y., No. 172, from the day following date of sale to the second day following date of sale; provided that a tariff making such change is filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 172, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within two (2) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 577, of date September 10, 1908."

Complete by Supplement No. 1 to P. S. C. No. 172, effective September 14, 1908.

No. 578; September 10, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with The Delaware, Lackawanna and Western Railroad Company, The New York Central and Hudson River Railroad Company, and the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 164, and

change the final return limit of tickets sold at fares named in the first column from the day following date of sale to the second day following the date of sale; provided that a tariff making such change is filed with this Commission under P. S. C., 2 N. Y., No. 181, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within two (2) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 578, of date September 10, 1908."

Complete by P. S. C. No. 181, effective September 12, 1908.

No. 579; September 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a second-class fare of one dollar (\$1.00) per capita for parties of twenty-five (25) or more, transported in either direction, between New York, N. Y., and Poughkeepsie, N. Y.; provided that a tariff naming said fare is filed with this Commission under P. S. C., 2 N. Y., No. 290, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 579, of date September 11, 1908."

Complete by P. S. C. No. 290, effective September 12, 1908.

No. 580; September 11, 1908; Buffalo, Rochester and Pittsburgh Railway Company (Silver Lake Railway Company):

Ordered: That the Buffalo, Rochester and Pittsburgh Railway Company for the Silver Lake Railway Company, in connection with the Buffalo, Rochester and Pittsburgh Railway Company and the Lehigh Valley Railroad Company, be and is hereby authorized to establish upon shipments of Ice, carloads, minimum weight twenty-two (22) net tons, from Silver Lake, N. Y., the rates to the stations as named below:

To	Per net ton.	To	Per net ton.
Craig's, N. Y.....	\$0 85	Linwood, N. Y.....	\$0 85
East Bethany, N. Y.....	85	Mt. Morris, N. Y.....	85
Fairport, N. Y.....	90	Seneca Falls, N. Y.....	1 10
Geneva, N. Y.....	1 10	Waterloo, N. Y.....	1 10
Leicester, N. Y.....	85		

Provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 357, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall state, in connection with the P. S. C. number, that on October 11, 1908, it will supersede P. S. C., 2 N. Y., No. 355, and be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 580, of date September 11, 1908."

Complete by P. S. C. No. 357, effective September 14, 1908.

No. 581; September 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of six cents (\$0.06) per one hundred (100) pounds to apply upon shipments of Pulp (Wood), car-loads, minimum weight forty thousand (40,000) pounds, from Piercefield, N. Y., to Saranac Inn, N. Y., Lake Clear Junction, N. Y., Gabriels, N. Y., Rainbow, N. Y., Onchiota, N. Y., Lake Kushequa, N. Y., Loon Lake, N. Y., Tekene, N. Y., Plumadore, N. Y., Bryants Siding, N. Y., Mountain View, N. Y., Owl's Head, N. Y., Chasm Falls, N. Y., Whippleville, N. Y., and Malone, N. Y., the said rate not to be exceeded to or from intermediate

points; provided that a tariff naming said rates between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with this Commission under P. S. C., 2 N. Y., No. 4789, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 581, of date September 11, 1908."

Complete by P. S. C. No. 4789, effective September 15, 1908.

No. 582; September 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, in connection with the Fonda, Johnstown and Gloversville Railroad Company, be and is hereby authorized to establish upon shipments of Stone (Crushed), carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, rate of eighty cents (\$0.80) per net ton from Tribes Hill, N. Y., to Mayfield, N. Y.; and rate of ninety cents (\$0.90) per net ton to Cranberry Creek, N. Y., via Fonda, N. Y., and the Fonda, Johnstown and Gloversville railroad, the said rates not to be exceeded to or from intermediate points; provided that a tariff naming said rates between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with this Commission under P. S. C., 2 N. Y., No. 4788, and posted at stations at least three (3) days' prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 582, of date September 11, 1908."

Complete by P. S. C. No. 4788, effective September 21, 1908.

No. 583; September 12, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, from Carthage, N. Y., the rates to the stations as named below:

To	Per 100 lbs.	To	Per 100 lbs.
Sterlingville, N. Y.....	\$0 03	Gouverneur, N. Y.....	\$0 03
Philadelphia, N. Y.....	03	Richville, N. Y.....	04
Antwerp, N. Y.....	03	DeKalb Junction, N. Y.....	04
Keenes, N. Y.....	03	Canton, N. Y.....	04

The said rates not to be exceeded to or from intermediate points; provided that a tariff naming said rates between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 583, of date September 12, 1908."

Complete by P. S. C. No. 4749, effective September 17, 1908.

No. 584; September 14, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of forty cents (\$0.40)

per net ton to apply upon shipments of ice, carloads, minimum weight fifty thousand (50,000) pounds, except that when marked capacity of car is less than the marked capacity will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Batavia, N. Y., to Stafford, N. Y., and LeRoy, N. Y., the said rate not to be exceeded to or from intermediate points; provided that a tariff naming said rate between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with this Commission under P. S. C., 2 N. Y., No. 4796, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 584, of date September 14, 1908."

Complete by P. S. C. No. 4796, effective September 19, 1908.

No. 585; September 14, 1908; Buffalo and Lake Erie Traction Company:

Ordered: That the Buffalo and Lake Erie Traction Company be and is hereby authorized to establish on shipments of Fresh Fruits and Vegetables (the commodities to be specified in the tariff) between stations on its line of railroad, the following rates in cents per package:

	Packages with wooden covers.	Packages without covers.
Baskets or crates weighing 20 lbs.....	3½	4
Baskets or crates weighing 8 lbs.....	1	1½
Baskets or crates weighing 4 lbs.....	½	1
Baskets or crates containing 1 bushel.....	8	10
Baskets or crates containing 2 bushels.....	20	20
Baskets or crates containing 1½ bushels.....	15	15

Provided that a tariff naming said rates is filed with this Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 4, and posted at stations at least three (3) days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 585, of date September 14, 1908."

No. 586; September 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Apples (Green, Dried, and Evaporated), Cabbage, Onions, Pears, Pumpkins, and Squash, carloads, minimum weight as per Official Classification, to Canandaigua, N. Y., the rates from the stations as follows:

From	Per 100 lbs.	From	Per 100 lbs.
Webster, N. Y.....	7c.	North Rose, N. Y.....	8½c.
Union Hill, N. Y.....	7c.	Wolcott, N. Y.....	8½c.
Lakeside, N. Y.....	7½c.	Red Creek, N. Y.....	8½c.
Ontario, N. Y.....	7½c.	Sterling, N. Y.....	9c.
Williamson, N. Y.....	7½c.	Crocketts, N. Y.....	9c.
Sodus, N. Y.....	8c.	Hannibal, N. Y.....	9c.
Wallington, N. Y.....	8c.	Furniss, N. Y.....	9½c.
Alton, N. Y.....	8½c.	Oswego, N. Y.....	9½c.

Provided that a tariff naming said rates is filed with this Commission under Supplement No. 3 to P. S. C., 2 N. Y., No. 4528, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 586, of date September 15, 1908."

Complete by Supplement No. 3 to P. S. C. No. 4528, effective September 19, 1908.

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No. 587; September 15, 1908; Murray's Line:

Ordered: That the Murray's Line, in connection with The Delaware and Hudson Company, be and is hereby authorized to establish rate of thirteen cents (\$0.13) per one hundred (100) pounds to apply upon shipments of Pulp (Wood), in lots of one hundred (100) tons and over, from New York city, N. Y., and points within lighterage limits of New York harbor, to Delano Junction, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 2, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 587, of date September 15, 1908."

Complete by P. S. C. No. 2, effective September 17, 1908.

No. 578; September 17, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Sand and Gravel, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Bilsborrow, N. Y., rate of thirty cents (\$0.30) per net ton to Geneva, N. Y.; and rate of fifty cents (\$0.50) per net ton to Waterloo, N. Y., and Seneca Falls, N. Y.; the said rates not to be exceeded to or from intermediate points; provided that a tariff naming said rates between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with this Commission under P. S. C., 2 N. Y., No. 4380, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than September 30, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 578, of date September 17, 1908."

Complete by P. S. C. No. 4380, effective September 25, 1908.

No. 579; September 17, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, the rates from and to New York state stations as follows:

To	Pierce-field.	Forest-port.	From Port Leyden.	Lyons Falls.	Carthage.
Port Leyden	5	4	....	....	....
Lyons Falls	5	4	....	....	....
Carthage	6	....	....	....	....
Gouverneur	7	....	4	....	....
Canton	7	7	5	5	....
Potsdam	7	7	....	5	4
Norwood	7	....	6	6	....
Great Bend	6	....	....	....	....
Felts Mills .....	....	....	3	....	....
Black River	6	....	3	3	....
Brownville	6	....	....	....	4
Watertown .....	....	....	....	....	....

Rates are in cents per 100 pounds.

Provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 4807, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than September 28, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commiss-

sion under special permission of the Public Service Commission, Second District, State of New York, No. 579, of date September 17, 1908." Complete by P. S. C. No. 4807, effective September 20, 1908.

No. 580; September 17, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, locally and jointly in connection with the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), be and is hereby authorized to establish upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds, except that where marked capacity of car is less the marked capacity will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Carthage, N. Y., the rates to various New York state stations as follows:

To New York Central and Hudson River Railroad stations:

Station.	Per net ton.	Station.	Per net ton.
Minoa	80c.	Frankfort	80c.
Kirkville	80c.	Iliion	80c.
Chittenango	80c.	Herkimer	80c.
Sullivan	80c.	Little Falls	80c.
Canastota	80c.	St. Johnsville	80c.
Oneida	75c.	Fort Plain	85c.
Verona	75c.	Palatine Bridge	85c.
Greenway	70c.	Yosts	85c.
Rome	70c.	Fonda	90c.
Oriskany	70c.	Tribes Hill	90c.
Whitesboro	70c.	Akin	90c.

To West Shore Railroad stations:

Station.	Per net ton.	Station.	Per net ton.
Kirkville	80c.	Mindenville	80c.
Chittenango	80c.	St. Johnsville	80c.
Canastota	80c.	Fort Hunter	90c.
Wampsville	75c.	Fort Plain	85c.
Oneida Castle	75c.	Canajoharie	85c.
Auriesville	90c.	Sprakers	85c.
Hecla	70c.	Downing	90c.
Clark Mills	70c.	Fultonville	90c.
New York Mills	70c.		

Provided that a tariff naming said rates is filed with this Commission under P. S. C., 2 N. Y., No. 4798, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than September 30, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 580, of date September 17, 1908."

Complete by P. S. C. No. 4798, effective September 27, 1908.

No. 591; September 18, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of fifty cents (\$.50) per net ton to apply upon shipments of Stone (Building), carloads, minimum weight fifty thousand (50,000) pounds, from Chaumont, N. Y., to Oswego, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 4811, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than September 29, 1908. It is further

Ordered: That the said company be and is hereby authorized to issue a supplement to P. S. C., 2 N. Y., No. 4765, canceling same upon October 5, 1908, and referring for future rates to P. S. C., 2 N. Y., No. 4811. Such tariff and supplement to P. S. C., 2 N. Y., No. 4765, shall bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 591, of date September 18, 1908."

Complete by P. S. C. No. 4811, effective September 23, 1908; and Supplement No. 1 to P. S. C. No. 4765, effective October 5, 1908.

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No. 592; September 18, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish rate of fifty cents (\$0.50) per net ton to apply upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds, except that when marked capacity of car is less the marked capacity will govern, but in no case shall the minimum be less than forty thousand (40,000) pounds, from Congers, N. Y., to Haverstraw, N. Y.; provided that a tariff naming said rate is filed with this Commission under P. S. C., 2 N. Y., No. 1112, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than September 29, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 592, of date September 18, 1908."

Complete by P. S. C. No. 1112, effective September 23, 1908.

No. 593; September 19, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Apples (Green, Dried, and Evaporated), Cabbage, Onions, Pears, Pumpkins, and Squash, carloads, minimum weight as per Official Classification, destined to Savannah, N. Y., the rates from the stations as specified below:

Station.	Per 100 lbs.	Station.	Per 100 lbs.
Webster, N. Y.	8c.	Sodus, N. Y.	8½c.
Union Hill, N. Y.	8½c.	Sterling, N. Y.	8½c.
Lakeside, N. Y.	8½c.	Daysville, N. Y.	8½c.
Ontario, N. Y.	8½c.	Hannibal, N. Y.	8½c.
Williamson, N. Y.	8½c.	Furniss, N. Y.	8½c.
Red Creek, N. Y.	8½c.	Oswego, N. Y.	8c.
Crocketts, N. Y.	8½c.	Scrimber, N. Y.	8½c.
Wallington, N. Y.	8½c.	New Haven, N. Y.	8½c.
Alton, N. Y.	9c.	Mexico, N. Y.	8½c.
North Rose, N. Y.	9c.	Pulaski, N. Y.	8c.
Wolcott, N. Y.	9c.		

Provided that a tariff naming said rates is filed with this Commission under Supplement No. 4 to P. S. C., 2 N. Y., No. 4528, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than September 30, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 593, of date September 19, 1908."

Complete by Supplement No. 4 to P. S. C. No. 4528, effective September 25, 1908.

No. 594; September 19, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, when destined to Lowville, N. Y., rate of six cents (\$0.06) per one hundred (100) pounds from Piercfield, N. Y.; and rate of two and one-half cents (\$0.02½) per one hundred (100) pounds from Port Leyden, N. Y., and Lyons Falls, N. Y.; provided that a tariff naming said rates is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than September 30, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's

notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 594, of date September 19, 1908."

Complete by P. S. C. No. 4815, effective September 25, 1908.

No. 595; September 19, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, local rates from and to stations as specified below:

To	From	
Norwood, N. Y.....	Carthage, N. Y.	Harrisville, N. Y.
Potsdam, N. Y.....	....	....
Canton, N. Y.....	....	4
Gouverneur, N. Y.....	....	8
Carthage, N. Y.....	....	4
It is further		2

Rates in cents per 100 lbs.

Ordered: That the said company, in connection with the Norwood and St. Lawrence Railroad Company, be and is hereby authorized to establish upon shipments of Pulp (Wood), carloads, minimum weight forty thousand (40,000) pounds, joint rates from and to stations as specified below:

To	From	
Norfolk, N. Y.....	Canton, N. Y.	Harrisville, N. Y.
Raymondville, N. Y.....	4	6½

Rates in cents per 100 lbs.

Provided that tariffs naming said rates are filed with this Commission and posted at stations at least one (1) day prior to the effective dates specified in such tariffs, which effective dates shall not be later than September 30, 1908. Such tariffs shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 595, of date September 19, 1908."

Complete by P. S. C. No. 4813, effective September 25, 1908.

No. 596; September 19, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish excursion fares on basis of one and one-half first-class fare for the round trip, with a minimum fare of one dollar (\$1.00), from New York state stations to New York city and return; tickets to be sold September 23 and 24, 1908, good for return passage on trains leaving New York city to and including September 26, 1908; provided that a tariff naming said fares is filed with the Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than September 23, 1908. Such tariff shall also be filed and posted within three (3) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 596, of date September 19, 1908."

Complete by P. S. C. No. 296, effective September 23, 1908.

No. 597; September 21, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company, in connection with The New York Central and Hudson River Railroad Company, be and is hereby authorized to establish excursion fares on basis of one and one-half first-class fare for round trip from its New York state stations to New York

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city and return; tickets to be sold September 23, 1908, good for return passage on trains of The New York Central and Hudson River Railroad Company leaving New York city to and including September 26, 1908, and connecting Delaware and Hudson Company trains to destination; provided that a tariff naming said fares is filed with the Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than September 23, 1908. Such tariff shall be so filed and posted within three (3) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 597, of date September 21, 1908."

Complete by P. S. C. No. 189, effective September 23, 1908.

No. 598; September 21, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish, in connection with The New York Central and Hudson River Railroad Company, rate of seventy-five cents (\$0.75) per net ton upon shipments of Stone, Crushed, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Little Falls, N. Y., to Liverpool, N. Y., Woodard, N. Y., Phoenix, N. Y., and Fulton, N. Y.; the said rate not to be exceeded to or from intermediate points; provided that a tariff naming said rate between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with the Commission and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 1, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 598, of date September 21, 1908."

Complete by P. S. C. No. 1753, effective September 28, 1908.

No. 599; September 22, 1908; The Pennsylvania Railroad Company:

Ordered: That The Pennsylvania Railroad Company be and is hereby authorized to establish, in connection with The New York Central and Hudson River Railroad Company, rate of seventy-five cents (\$0.75) per net ton upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds per car, from Lake Landing, N. Y., to Geneva, Seneca Falls, and Waterloo, N. Y., via Canandaigua, N. Y.; the said rate not to be exceeded to or from intermediate points; provided that a tariff naming said rate between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with the Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than September 29, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission, under special permission of the Public Service Commission, Second District, State of New York, No. 599, of date September 22, 1908."

Complete by K. K., P. S. C. No. 129, effective September 26, 1908.

No. 600; September 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, locally and jointly in connection with the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), be and is

hereby authorized to establish upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Carthage to various New York state stations and at the rates per net ton shown in the following table:

New York Central and Hudson River Railroad stations:

Station.	Per net ton.	Station.	Per net ton.
Felts Mills, N. Y.	40c.	Central Square, N. Y.	60c.
Watertown, N. Y.	45c.	Clay, N. Y.	60c.
Adams, N. Y.	50c.	Brewerton, N. Y.	60c.
Parish, N. Y.	55c.	Woodard, N. Y.	65c.
Hastings (Orleans Co.), N. Y.	55c.	Liverpool, N. Y.	65c.
Mallory, N. Y.	55c.	Syracuse, N. Y.	70c.

Also from Carthage to West Shore railroad stations and at the rates per net ton shown in the following table:

West Shore Railroad stations:

Station.	Per net ton.	Station.	Per net ton.
Fayetteville, N. Y.	90c.	Ballina, N. Y.	1 00
Manlius, N. Y.	90c.	Erleville, N. Y.	1 00
Oran, N. Y.	90c.	Georgetown, N. Y.	1 10
Cazenovia, N. Y.	\$1 00	Lebanon, N. Y.	1 10
Rippletton, N. Y.	1 00	Earville, N. Y.	1 10

Provided that a tariff naming said rates is filed with the Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 1, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 600, of date September 23, 1908."

Complete by P. S. C. No. 4798, effective September 27, 1908.

No. 601; September 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company, locally and jointly in connection with The Lowville and Beaver River Railroad Company, be and is hereby authorized to establish upon shipments of Pulp, Wood, carloads, minimum weight forty thousand (40,000) pounds, to Beaver Falls, N. Y., from Emeryville, N. Y., six and one-half (6½) cents per one hundred (100) pounds; from Gouverneur, N. Y., six (6) cents per one hundred (100) pounds; from Carthage, N. Y., five (5) cents per one hundred (100) pounds. Also to Carthage, N. Y., from Emeryville, N. Y., rate of four and one-half (4½) cents per one hundred (100) pounds; provided that a tariff naming said rates is filed with the Commission and published in tariff P. S. C. 2 N. Y., No. 4823, and posted at stations at least one (1) day prior to the effective date to be specified in such tariff, which effective date shall not be later than October 1, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 601, of date September 23, 1908."

Complete by P. S. C. No. 4823, effective September 26, 1908.

No. 602; September 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish a rate of eight (8) cents per one hundred (100) pounds on shipments of Pulp, Wood, carloads, minimum weight forty thousand (40,000) pounds, from Dexter, N. Y., Brownsville, N. Y., and Watertown, N. Y., to North Tonawanda, N. Y., and Niagara Falls, N. Y.; provided that a tariff naming said rate is filed with the Com-

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mission and published in tariff P. S. C., 2 N. Y., No. 4824, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 1, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 602, of date September 23, 1908."

Complete by P. S. C. No. 4824, effective September 26, 1908.

No. 603; September 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of seventy-five (75) cents per net ton on shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds unless the marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Poughkeepsie, N. Y., to Croton-on-Hudson, N. Y.; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 4829, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 1, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 603, of date September 23, 1908."

Complete by P. S. C. No. 4829, effective September 30, 1908.

No. 604; September 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Stone, Crushed, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Solvay, N. Y., to Redwood, N. Y., one dollar (\$1.00) per net ton; the said rate not to be exceeded to intermediate points; provided that a tariff naming said rate between the points above stated and the said or lower rates to specified intermediate destinations is filed with the Commission and published in supplement to tariff P. S. C., 2 N. Y., No. 4236, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 2, 1908. Such tariff shall be so filed and posted within seven (7) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 604, of date September 23, 1908."

Complete by Supplement No. 2 to P. S. C. No. 4236, effective October 2, 1908.

No. 605; September 23, 1908; Rutland Railroad Company:

Ordered: That the Rutland Railroad Company, in connection with the New York Central and Hudson River railroad, be and is hereby authorized to establish a proportional rate of seven (7) cents per one hundred pounds upon shipments of Pulp, Wood, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 169, and supplements thereto or superseding issues thereof, from Rouses Point, N. Y. (ex-Cadyville, N. Y.), to Carthage, N. Y., via Norwood, N. Y.; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 200, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 1, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued

on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 605, of date September 23, 1908."

Complete by P. S. C. No. 200, effective September 25, 1908.

No. 606; September 25, 1908; The Long Island Railroad Company (The Long Island Express):

Ordered: That The Long Island Railroad Company (The Long Island Express) be and is hereby authorized to establish upon shipments of empty packages returned to original shippers which have been carried by express over the road when filled, one-half merchandise rates at actual weight, subject to a minimum charge of ten (10) cents per shipment; such charge to include wagon service at points where wagon service is maintained, prepayment to be required in case packages are not in good condition or are not deemed to be worth the transportation charges. It is further

Ordered: That The Long Island Railroad Company (The Long Island Express) be authorized to establish a regulation providing that baggage checks when accompanied by an order for the baggage to be shipped by express be handled without charge; provided that a tariff naming said rates, charges, and regulation is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. E-32, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than September 30, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 606, of date September 25, 1908."

Complete by P. S. C. No. E-32, effective September 28, 1908.

No. 607; September 25, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company (West) be and is hereby authorized to establish upon less carload shipments of Fresh Condensed Milk or Cream in ten- (10) gallon cans, rate of twenty (20) cents per can from Randolph, N. Y., to Salamanca, N. Y.; provided that a tariff naming said rate is filed with the Commission and published as supplement to tariff P. S. C., 2 N. Y., No. A-168, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 1, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 607, of date September 25, 1908."

Complete by Supplement No. 1 to P. S. C. No. A-168, effective September 29, 1908.

No. 608; September 25, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of nine (9) cents per one hundred pounds on Barley Malt, Corn, Corn Malt, and Malt Sprouts, in carloads, minimum weights shown in exceptions to Official Classification P. S. C., 2 N. Y., No. 2572, supplements thereto and superseding issues thereof, from Warners, N. Y., to Forks, N. Y., inclusive, to stations on Hudson division Castleton, N. Y., to Peekskill, N. Y., inclusive; provided that a tariff naming said rate is filed with the Commission and published in Supplement No. 3 to tariff P. S. C., 2 N. Y., No. 3672, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 6, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 608, of date September 25, 1908."

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Complete by Supplement No. 3 to P. S. C. No. 3672, effective October 3, 1908.

No. 609; September 25, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to reissue tariff P. S. C., 2 N. Y., No. 4780, applying on Cider Apples in bulk, Apple Waste, Apple Chops, Apple Cores, and Apple Skins, and change same to read, in carloads, minimum weight as per current Official Classification P. S. C., 2 N. Y., No. 4019, and supplements thereto or superseding issues thereof; provided that a tariff is filed with the Commission and published as P. S. C., 2 N. Y., No. 4830, superseding tariff P. S. C., 2 N. Y., No. 4780, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 3, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 609, of date September 25, 1908."

Complete by P. S. C. No. 4830, effective October 20, 1908.

No. 610; September 25, 1908; Greenwich and Johnsonville Railway Company:

Ordered: That the Greenwich and Johnsonville Railway Company be and is hereby authorized to establish, in connection with The Delaware and Hudson Company, rate of eighty-five (85) cents per gross ton to apply upon shipments of Stone, Crushed or Broken, in carloads, minimum weight thirty-five (35) gross tons, from Northumberland, N. Y., to Eagle Bridge, N. Y., via Salem, N. Y.; provided that a tariff naming said rate is filed with the Commission, published and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 5, 1908. Such tariff shall be so filed and posted within seven (7) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 610, of date September 25, 1908."

Complete by P. S. C. No. 196, effective October 3, 1908; and P. S. C. No. 197, effective October 5, 1908.

No. 611; September 25, 1908; Buffalo, Rochester and Pittsburgh Railway Company as agent for the Silver Lake Railway Company:

Ordered: That the Buffalo, Rochester and Pittsburgh Railway Company as agent for the Silver Lake Railway Company be and is hereby authorized to establish, in connection with the Lehigh Valley Railway Company, rate of one dollar and twenty cents (\$1.20) per ton of two thousand (2,000) pounds to apply upon shipments of Ice, carloads, minimum weight twenty-two (22) net tons, from Silver Lake, N. Y., to Romulus, N. Y.; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 362, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 4, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 611, of date September 25, 1908."

Complete by P. S. C. No. 362, effective September 29, 1908.

No. 612; September 28, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish upon shipments of Brick, Common, carloads, maximum and minimum weight as provided in tariff P. S. C., 2 N. Y., No. 1559, rate of forty (40) cents per net ton from Mechanicville, N. Y., to Albany, N. Y.; provided that a tariff naming said rate is filed with the Commission and

published in Supplement No. 6 to tariff P. S. C., 2 N. Y., No. 1550, and posted at stations at least fifteen (15) days prior to the effective date specified in such tariff, which effective date shall be October 19, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on not less than fifteen (15) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 612, of date September 28, 1908."

Complete by Supplement No. 6 to P. S. C. No. 1559, effective October 19, 1908.

No. 613; September 28, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish upon shipments of ice, carloads, minimum weight twenty (20) net tons, rate of sixty (60) cents per net ton from Monroe, N. Y., to Thompson Ridge, N. Y.; provided that a tariff naming said rate is filed with the Commission and published as P. S. C., 2 N. Y., No. 1042, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 4, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 613, of date September 28, 1908."

Complete by P. S. C. No. 1042, effective October 3, 1908.

No. 614; September 28, 1908; The Lake Shore and Michigan Southern Railway Company:

Ordered: That The Lake Shore and Michigan Southern Railway Company be and is hereby authorized to issue supplement to tariff P. S. C., 2 N. Y., No. 135, and correct the following errors:

Train Fares: Tariff now reads "Between Dunkirk, N. Y., and Forsyth, N. Y., 85c." should read 65c.; "Between Dunkirk, N. Y., and Hamburg-on-Lake, N. Y., 65c." should read 85c.; "Between Bay View, N. Y., and Angola, N. Y., 42c." should read 45c.

Ticket Fares: Tariff now reads "Between Dunkirk, N. Y., and Forsyth, N. Y., 75c." should read 55c.; "Between Dunkirk, N. Y., and Hamburg-on-Lake, N. Y., 55c." should read 75c.

Provided that a tariff naming said fares is filed with the Commission and published in Supplement No. 1 to tariff P. S. C., 2 N. Y., No. 135, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 5, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 614, of date September 28, 1908."

Complete by Supplement No. 1 to P. S. C. No. 135, effective October 4, 1908.

No. 615; September 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Lacona, N. Y., to Pulaski, N. Y., rate of forty (40) cents per net ton; and to Mexico, N. Y., rate of forty-five (45) cents per net ton; provided that a tariff naming said rates is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 4857, and posted at stations

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at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 4, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 615, of date September 28, 1908."

Complete by P. S. C. No. 4857, effective October 2, 1908.

No. 616; September 28, 1908; Penn Yan, Keuka Park and Branchport Railway Company:

Upon application of the Penn Yan, Keuka Park and Branchport Railway Company, it appearing through misunderstanding that Official Classification No. 32 and supplements thereto were not filed with the Commission, and it being the desire of such corporation to apply the classifications provided in such schedule to its freight business, and for other good cause shown, it is

Ordered: That the Penn Yan, Keuka Park and Branchport Railway Company be and is hereby authorized to establish the classifications applying to the shipment of freight as is provided in schedule known as Official Classification No. 32, and effective supplements thereto; provided that a tariff naming said classifications is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 9, and supplements thereto, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 6, 1908. Such tariff shall be so filed and posted within eight (8) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 616, of date September 28, 1908."

Complete by P. S. C. No. 9, effective October 6, 1908.

No. 618; September 29, 1908; Penn Yan, Keuka Park and Branchport Railway Company:

Ordered: That the Penn Yan, Keuka Park and Branchport Railway Company be and is hereby authorized to establish local proportional rate of fifteen (15) cents per net ton on Ice, carloads, minimum weight forty thousand (40,000) pounds, from Park Landing, N. Y. (ice house switch), to Penn Yan, N. Y., when destined for points beyond Penn Yan, N. Y., via Northern Central railway and its connections; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 10, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 5, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 618, of date September 29, 1908."

Complete by P. S. C. No. 10, effective October 5, 1908.

No. 619; September 29, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish, in connection with the Rutland Railroad Company, rate of nine (9) cents per one hundred pounds on Pulp, Wood, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 1600, supplements thereto and superseding issues thereof, from Cadyville, N. Y., to Norwood, N. Y., via Rouses Point, N. Y.; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 1730, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 6, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 619, of date September 29, 1908."

Complete by P. S. C. No. 1736, effective October 3, 1908.

No. 620; September 30, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, rate from Towners, N. Y., to Pawling, N. Y., of sixty (60) cents per net ton; and to Baldwin Place, N. Y., of seventy-five (75) cents per net ton; provided that a tariff naming said rates is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 4862, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 6, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 620, of date September 30, 1908."

Complete by P. S. C. No. 4862, effective October 3, 1908.

No. 621; September 30, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized, in connection with the Dansville and Mount Morris Railroad Company, to establish rate of one dollar (\$1.00) per net ton on Ice, carloads, minimum weight twenty (20) net tons, from Elmira, N. Y., to Dansville, N. Y.; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 1044, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 6, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 621, of date September 30, 1908."

Complete by P. S. C. No. 1044, effective October 5, 1908.

No. 622; September 30, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rate of sixty (60) cents per net ton on Ice, carloads, minimum weight twenty (20) net tons, from Monroe, N. Y., to Circleville, N. Y.; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 1042, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 6, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 622, of date September 30, 1908."

Complete by P. S. C. No. 1042, effective October 3, 1908.

No. 623; September 30, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Fluxing Stone, carloads, minimum weight marked capacity of car, but not less than twenty (20) gross tons, rate of one dollar (\$1.00) per gross ton, from Lake Bonaparte, N. Y., to Buffalo, N. Y., East Buffalo, N. Y., and Black Rock, N. Y.; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 4863, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 10, 1908. Such tariff shall be so filed and posted within eight (8) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Com-

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mission, Second District, State of New York, No. 623, of date September 30, 1908."

Complete by P. S. C. No. 4863, effective October 6, 1908.

No. 624; September 30, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to amend its tariff P. S. C., 2 N. Y., No. 480, and supplement thereto, applying to the shipment of Milk, Cream, and Pot Cheese (when shipped on milk trains) from stations on R. W. & O. division as specified in the tariff, to 130th and 33rd Streets, New York, N. Y., by adding Yonkers, N. Y., as a point of destination, the same rates, conditions, and privileges to apply as are now in effect and applying to shipments to or from 130th and 33rd Streets, New York, N. Y.; provided that a tariff containing said amendment is filed with the Commission and published as Supplement No. 3 to tariff P. S. C., 2 N. Y., No. 480, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 6, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 624, of date September 30, 1908."

Complete by Supplement No. 3 to P. S. C. No. 480, effective October 3, 1908.

No. 625; October 1, 1908; The Pittsburg, Shawmut and Northern Railroad Company, Frank Sullivan Smith, Receiver:

Ordered: That The Pittsburg, Shawmut and Northern Railroad Company, Frank Sullivan Smith, Receiver, be and is hereby authorized, in connection with the Buffalo and Susquehanna Railroad Company, to establish round-trip passenger fares, for adults and children, to Wellsville, N. Y., for excursion, tickets to be sold good going and returning on special train, October 2, 1908, only:

From	Adults.	Children.
Bolivar, N. Y.	\$1 25	\$0 65
Richburg, N. Y.	1 15	60
West Notch, N. Y.	1 00	50
Nile, N. Y.	80	40
Friendship, N. Y.	65	35
Higgins, N. Y.	80	30
Angelica, N. Y.	70	35

Provided that a tariff naming said rates is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. P-73, and posted at stations on the effective date specified in such tariff, which effective date shall be October 2, 1908. Such tariff shall bear the following notation: "Issued to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 625, of date October 1, 1908."

Complete by P. S. C. No. P-73, effective October 2, 1908.

No. 626; October 2, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized, in connection with The New York Central and Hudson River Railroad Company and Boston and Maine Railroad, to establish rate of \$2.25 per net ton on Piles, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 74, supplements thereto and superseding issues thereof, from Salisbury Center, N. Y., to Scotia, N. Y., via Little Falls, N. Y., and Rotterdam Junction, N. Y.; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 89, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 10, 1908. Such tariff shall be so filed and posted within seven (7) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the

Public Service Commission, Second District, State of New York, No. 626, of date October 2, 1908."

Complete by P. S. C. No. 89, effective October 9, 1908.

No. 627; October 3, 1908; Middleburgh and Schoharie Railroad Company:

Ordered: That the Middleburgh and Schoharie Railroad Company be and is hereby authorized to establish rate of fifteen dollars (\$15.00) for special train of two passenger cars from Middleburgh, N. Y., to Schoharie Court House, N. Y., and return, such special train going and returning on Tuesday, October 6, 1908; all passengers boarding train, in either direction, to be carried free; such special train to leave Middleburgh, N. Y., at about seven-thirty (7:30) p. m., October 6, 1908, and to return leaving Schoharie Court House, N. Y., after the close of political meeting; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C. 2 N. Y., No. 7, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be October 6, 1908. Such tariff shall be so filed and posted within two (2) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 627, of date October 3, 1908."

Complete by P. S. C. No. 7, effective October 6, 1908.

No. 628; October 5, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on Pumpkins, carloads, minimum weight as per Official Classification, to Oneida, N. Y., the following rates from various stations on R. W. & O. division, in cents per one hundred pounds:

Adams, N. Y.....	8½c.	McConnellsville, N. Y.....	6¼c.
Altmar, N. Y.....	7c.	Pierrepont Manor, N. Y.....	8c.
Blossvale, N. Y.....	6c.	Rices, N. Y.....	8½c.
Camden, N. Y.....	7c.	Richland, N. Y.....	7¾c.
Edison, N. Y.....	8½c.	Watertown, N. Y.....	8¼c.
Kasoag, N. Y.....	7c.	Westdale, N. Y.....	7c.
Lacona, N. Y.....	7½c.	Williamstown, N. Y.....	7c.
Mannsville, N. Y.....	8c.		

Provided that a tariff naming said rates is filed with the Commission and published in tariff P. S. C. 2 N. Y., No. 4875, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 16, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 628, of date October 5, 1908."

Complete by P. S. C. No. 4875, effective October 9, 1908.

No. 629; October 5, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized, in connection with West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), to establish rate of one dollar and seventy-five cents (\$1.75) per net ton on Brick, Common, carloads, minimum weight as per Official Classification, from Corning, N. Y., to Canajoharie, N. Y.; the said rate not to be exceeded to or from intermediate points; provided that a tariff naming said rate between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with the Commission under P. S. C. 2 N. Y., No. 4873, and posted at stations at least three days prior to the effective date specified in such tariff, which effective date shall not be later than

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October 21, 1908. Such tariff shall be so filed and posted within thirteen (13) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 629, of date October 5, 1908."

Complete by P. S. C. No. 4873, effective October 21, 1908.

No. 630; October 6, 1908; The Staten Island Rapid Transit Railway Company:

Upon application of The Staten Island Rapid Transit Railway Company, filed October 3, 1908, it appearing that through oversight Supplement No. 5 to tariff P. S. C., 2 N. Y., No. 17 (Official Classification No. 32), was furnished to agents but not filed with the Commission, and it being the desire to apply the classifications provided in such schedule to the freight business of such corporation, and for other good cause shown, it is

Ordered: That The Staten Island Rapid Transit Railway Company be and is hereby authorized to establish the classifications applying to the shipment of freight as is provided in schedule known as Supplement No. 5 to Official Classification No. 32; provided that a schedule naming said classifications is filed with the Commission and published in Supplement No. 5 to tariff P. S. C., 2 N. Y., No. 17, and posted at stations at least three (3) days prior to the effective date specified in such schedule, which effective date shall not be later than October 12, 1908. Such schedule shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 630, of date October 6, 1908."

Complete by Supplement No. 5 to P. S. C. No. 17, effective October 12, 1908.

No. 631; October 6, 1908; Unadilla Valley Railway Company:

Upon application of the Unadilla Valley Railway Company, filed October 6, 1908, it appearing that through misunderstanding Official Classification No. 32 and supplements thereto were not filed with the Commission, and it being the desire of such corporation to apply the classifications provided in such schedule to its freight business, and for other good cause shown, it is

Ordered: That the Unadilla Valley Railway Company be and is hereby authorized to establish the classifications applying to the shipment of freight over its line of railway as provided in schedule known as Official Classification No. 32 and effective supplements thereto; provided that a schedule naming said classifications is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 7, and supplements thereto Nos. 1, 2, 3, 4, and 5, and posted at stations at least three (3) days prior to the effective date specified in such schedule and supplements, which effective date shall be October 12, 1908. Such schedule and supplements shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 631, of date October 6, 1908."

It is further Ordered: That the Unadilla Valley Railway Company be and is hereby authorized to establish the classifications applying to the shipment of freight over its railway as is provided in schedule known as Supplement No. 6 to Official Classification No. 32; provided that a schedule naming said classifications is filed with the Commission and published in Supplement No. 6 to P. S. C., 2 N. Y., No. 7, and posted at stations at least twenty (20) days prior to the effective date specified in such schedule, which effective date shall be November 1, 1908. Such schedule shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on twenty (20) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 631, of date October 6, 1908."

Complete by P. S. C. No. 7, and Supplements Nos. 1, 2, 3, 4, 5, effective October 12, 1908, and Supplement No. 6, effective November 1, 1908.

No. 632; October 6, 1908; Unadilla Valley Railway Company:

Upon application of the Unadilla Valley Railway Company, filed October 6, 1908, it appearing that on account of Official Classification No. 32 and supplements thereto not having been filed with the Commission and published at stations, the exceptions to such classification as contained in the Commission's order of date September 17, 1908, in the matter of marking of less than carload shipments of freight, could not be issued and made effective until after the classification had been established, and for other good cause shown, it is

Ordered: That the Unadilla Valley Railway Company be and is hereby authorized to establish exceptions to Official Classification and supplements thereto, such exceptions to contain the amending of Rule 3 to conform to the order of the Commission of date September 17, 1908, in the matter of marking of less than carload shipments of freight; provided that a tariff naming said exceptions is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 8, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall be October 12, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 632, of date October 6, 1908."

Complete by P. S. C. No. 8, effective October 12, 1908.

No. 633; October 6, 1908; Boston and Albany Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the Boston and Albany Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish Rules and Regulations for the Transportation of Explosives, such rules and regulations to be those approved by the Interstate Commerce Commission and ordered effective October 15, 1908; provided that a schedule naming such rules and regulations is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 112, and posted at stations at least three (3) days prior to the effective date specified in such schedule, which effective date shall not be later than October 15, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 633, of date October 6, 1908."

Complete by P. S. C. No. 112, effective October 15, 1908.

No. 634; October 6, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish, on shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case marked capacity of car will govern, but not less than forty thousand (40,000) pounds, the rates from Furniss, N. Y., to Watertown, N. Y., fifty-five cents (\$0.55) per net ton; and to Sackets Harbor, N. Y., sixty-five cents (\$0.65) per net ton, said rates not to be exceeded to or from intermediate points; provided that a tariff naming said rates between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 4880, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 12, 1908. Such tariff shall be so filed and

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posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 634, of date October 6, 1908."

Complete by P. S. C. No. 4880, effective October 12, 1908.

No. 635; October 7, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to establish, upon shipments of Apples, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 475, supplements thereto and superseding issues thereof, to East Bethany, N. Y., the following rates from Mt. Morris, N. Y., Leicester, N. Y., and Greigsville, N. Y., four and one-half ($4\frac{1}{2}$) cents per one hundred pounds; from Craigs, N. Y., to Linwood, N. Y., three and one-half ($3\frac{1}{2}$) cents per one hundred pounds; and from Buffalo, Rochester and Pittsburgh Junction, N. Y., two and one-half ($2\frac{1}{2}$) cents per one hundred pounds; provided that a tariff naming said rates is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 611, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 19, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 635, of date October 7, 1908."

Complete by P. S. C. No. 611, effective October 12, 1908.

No. 636; October 7, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized, in connection with the New York, Ontario and Western Railway Company, to establish, upon shipments of Cider Apples in bulk, carloads, minimum weight thirty thousand (30,000) pounds, to Bocckville, N. Y., the following rates: From Binghamton, N. Y., to Chenango Bridge, N. Y., Chenango Forks, N. Y., Willards, N. Y., Greene, N. Y., Brisbin, N. Y., Coventry, N. Y., Oxford, N. Y., Haynes, N. Y., Norwich, N. Y., Galena, N. Y., Sherburne, N. Y., Poolville, N. Y., North Brookfield, N. Y., Sangerfield, N. Y., and Waterville, N. Y., eight and one-half ($8\frac{1}{2}$) cents per one hundred pounds; and from Barker, N. Y., Whitney's Point, N. Y., Lisle, N. Y., Killawog, N. Y., Marathon, N. Y., Messengerville, N. Y., Blodgett's Mills, N. Y., Cortland, N. Y., and Homer, N. Y., nine and one-half ($9\frac{1}{2}$) cents per one hundred pounds; provided that the said rates are filed with the Commission in tariff P. S. C., 2 N. Y., No. 610, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 19, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 636, of date October 7, 1908."

Complete by P. S. C. No. 610, effective October 12, 1908.

No. 637; October 8, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish, in connection with the Rutland Railroad Company and The Delaware and Hudson Company, rate of two dollars (\$2.00) per gross ton on Iron Ore, in carloads, minimum weight marked capacity of car, but not less than twenty (20) gross tons, from Benson Mines, N. Y., to Standish, N. Y., via Norwood, N. Y., and Rouses Point, N. Y.; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 4893, and posted at

stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 20, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 637, of date October 8, 1908."

Complete by P. S. C. No. 4893, effective October 13, 1908.

No. 638; October 8, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of thirty-five (35) cents per net ton on Stone, Rough, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Tribes Hill, N. Y., to Amsterdam, N. Y.; provided that a tariff naming said rate is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 4891, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 23, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 638, of date October 8, 1908."

Complete by P. S. C. No. 4891, effective October 16, 1908.

No. 639; October 8, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish, in connection with the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), on shipments of Beans, Dried, carloads, minimum weight as per tariff P. S. C., 2 N. Y., No. 4019, supplements thereto or superseding issues thereof, the rates from and to the stations as named in the application, which are hereby made a part of this order; provided that a tariff naming said rates is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 4892, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 19, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 639, of date October 8, 1908."

Complete by P. S. C. No. 4892, effective October 14, 1908.

No. 640; October 8, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. - Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish, in connection with The New York Central and Hudson River Railroad Company, on shipments of Beans, Dried, carloads, minimum weight as per tariff P. S. C., 2 N. Y., No. 987, supplements thereto or superseding issues thereof, the rates from and to the stations named in the application, which are hereby made a part of this order; provided that a tariff naming said rates is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 1277, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 19, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 640, of date October 8, 1908."

Complete by P. S. C. No. 1277, effective October 14, 1908.

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No. 641; October 12, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of seven and one-half ($7\frac{1}{2}$) cents per one hundred (100) pounds on Cider Apples in bulk, Apple Chops, Apple Cores, Apple Skins, and Apple Waste, carloads, minimum weight as per Official Classification, from Alton, N. Y., Carlton, N. Y., Furniss, N. Y., Mexico, N. Y., Ontario, N. Y., Oswego, N. Y., Pulaski, N. Y., Red Creek, N. Y., Sodus, N. Y., Scriba, N. Y., Williamson, N. Y., Webster, N. Y., and Wolcott, N. Y., to Lyons, N. Y.; provided that a tariff naming said rate between the points above stated is filed with the Commission as tariff P. S. C., 2 N. Y., No. 4910, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 23, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission, under special permission of the Public Service Commission, Second District, State of New York, No. 641, of date October 12, 1908."

Complete by P. S. C. No. 4910, effective October 15, 1908.

No. 642; October 12, 1908; Buffalo and Lake Erie Traction Company:

Ordered: That the Buffalo and Lake Erie Traction Company be and is hereby authorized to establish rate of fare of two dollars and thirty cents (\$2.30) per book for a school commutation book consisting of forty-six (46) one-way tickets good in either direction, between North Evans, N. Y., and Angola, N. Y., or intermediate stations; provided that a tariff naming said rate of fare is filed with the Commission in tariff P. S. C., 2 N. Y., No. 7, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 25, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 642, of date October 12, 1908."

Complete by P. S. C. No. 7, effective October 25, 1908.

No. 643; October 12, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish Rules and Regulations for the Transportation of Explosives, such rules and regulations to be those approved by the Interstate Commerce Commission, and ordered by said Commission to become effective October 15, 1908; provided that a schedule naming said rules and regulations is filed with the Commission and published in tariff P. S. C., 2 N. Y., No. 4909, and issued as superseding tariff P. S. C., 2 N. Y., No. 4795, and posted at stations at least one (1) day prior to the effective date specified in such schedule, which effective date shall not be later than October 17, 1908. Such tariff shall be so filed and posted within four (4) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 643, of date October 12, 1908."

Complete by P. S. C. No. 4909, effective October 17, 1908.

No. 644; October 12, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish Rules and Regulations for the Transportation of Explosives, such rules and regulations to be those approved by the Interstate Commerce Commission, and ordered by said Commission to become effective October 15, 1908; provided that a schedule naming said rules and regulations is filed

with the Commission and published in tariff P. S. C., 2 N. Y., No. 1279, and issued as superseding tariff P. S. C., 2 N. Y., No. 1251, and posted at stations at least one (1) day prior to the effective date specified in such schedule, which effective date shall not be later than October 17, 1908. Such tariff shall be so filed and posted within four (4) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 644, of date October 12, 1908."

Complete by P. S. C. No. 1279, effective October 17, 1908.

No. 645; October 12, 1908; The Rochester and Sodus Bay Railway Company:

Upon application of The Rochester and Sodus Bay Railway Company, filed October 12, 1908, it appearing that on account of certain increases which would be made in the fares it is desired to withdraw passenger tariff P. S. C., 2 N. Y., No. 4, filed September 24, 1908, to become effective October 24, 1908, and continue in force the fares which are now in effect, and for other good cause shown, it is

Ordered: That The Rochester and Sodus Bay Railway Company be and is hereby authorized to cancel by supplement issue its passenger tariff P. S. C., 2 N. Y., No. 4, and to reestablish, effective October 24, 1908, tariff P. S. C., 2 N. Y., No. 2, and the fares contained therein; provided that notice of such change is filed with the Commission in Supplement No. 1 to tariff P. S. C., 2 N. Y., No. 4, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 24, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 645, of date October 12, 1908."

Complete by Supplement No. 1 to P. S. C. No. 4, effective October 24, 1908.

No. 646; October 12, 1908; Rochester and Eastern Rapid Railway Company:

Upon application of the Rochester and Eastern Rapid Railway Company, filed October 12, 1908, it appearing that on account of certain increases which would be made in the fares it is desired to withdraw passenger tariff P. S. C., 2 N. Y., No. 5, filed September 24, 1908, to become effective October 24, 1908, and continue in force the fares which are now in effect, and for other good cause shown, it is

Ordered: That the Rochester and Eastern Rapid Railway Company be and is hereby authorized to cancel by supplement issue its passenger tariff P. S. C., 2 N. Y., No. 5, and to reestablish, effective October 24, 1908, tariff P. S. C., 2 N. Y., No. 2, and the fares contained therein; provided that a notice of such change is filed with the Commission in Supplement No. 1 to tariff P. S. C., 2 N. Y., No. 5, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 24, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 646, of date October 12, 1908."

Complete by Supplement No. 1 to P. S. C. No. 5, effective October 24, 1908.

No. 647; October 14, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish, in connection with The New York Central and Hudson River Railroad Company, rate of forty cents (\$0.40) per net ton on Stone, Rough, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Pattersonville, N. Y., to Hoffmans, N. Y.; provided

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that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1282, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 27, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 647, of date October 14, 1908."

Complete by P. S. C. No. 1282, effective October 20, 1908.

No. 648; October 14, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of seven cents (\$0.07) per one hundred pounds from Buffalo, N. Y., Lewiston, N. Y., Suspension Bridge, N. Y., Niagara Falls, N. Y., Echota, N. Y., La Salle, N. Y., North Tonawanda, N. Y., Black Rock, N. Y., and East Buffalo, N. Y., to Adams, N. Y., said rates not to be exceeded to or from intermediate points; provided that a tariff naming said rate between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with the Commission and published in supplement to tariff P. S. C., 2 N. Y., No. 3672, and posted at stations at least one (1) day prior to the effective date specified in such schedule, which effective date shall not be later than October 25, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 648, of date October 14, 1908."

Complete by Supplement No. 4 to P. S. C. No. 3672, effective October 22, 1908.

No. 649; October 15, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of eighty-five cents (\$0.85) per net ton on Ice, carloads, minimum weight fifty thousand (50,000) pounds, except when the capacity of car is less, in which case the actual capacity of car will govern, but in no case shall the minimum carload weight be less than forty thousand (40,000) pounds, from Furniss, N. Y., to Cape Vincent, N. Y.; provided that a tariff naming said rate is filed with the Commission and published as P. S. C., 2 N. Y., No. 4919, and posted at stations at least one (1) day prior to the effective date specified in such schedule, which effective date shall not be later than October 26, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 649, of date October 15, 1908."

Complete by P. S. C. No. 4919, effective October 20, 1908.

No. 650; October 15, 1908; The Pennsylvania Railroad Company:

Ordered: That The Pennsylvania Railroad Company be and is hereby authorized to establish rate of seventy-five cents (\$0.75) per two thousand (2,000) pounds on Ice, carloads, minimum weight forty thousand (40,000) pounds, from Canandaigua, N. Y., to Watkins, N. Y.; provided that a tariff naming said rate is filed with the Commission in K. K., P. S. C., 2 N. Y., No. 131, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 26, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued

on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 650, of date October 15, 1908."

Complete by K. K., P. S. C. No. 131, effective October 23, 1908.

No. 651; October 15, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to establish, in connection with The New York Central and Hudson River Railroad Company, rate of fifty cents (\$0.50) per net ton on Stone, Crushed, carloads, minimum weight marked capacity of car, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Jamesville, N. Y., and Syracuse, N. Y. (Rock Cut Siding), to Fulton, N. Y., and Phoenix, N. Y., via Syracuse, N. Y.; provided that a tariff naming said rate is filed with the Commission and published in P. S. C., 2 N. Y., No. 615, and superseding tariff P. S. C., 2 N. Y., No. 519, and posted at stations at least three (3) days prior to the effective date specified in such schedule, which effective date shall not be later than October 25, 1908. Such tariff shall be so filed and posted within six days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 651, of date October 15, 1908."

Complete by P. S. C. No. 615, effective October 24, 1908.

No. 652; October 16, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish rate of forty cents (\$0.40) per net ton on Stone, Crushed, maximum and minimum weight as specified in tariff P. S. C., 2 N. Y., No. 1559, from Whitehall, N. Y., to Ballston, N. Y., Ballston Lake, N. Y., Round Lake, N. Y., Mechanicville, N. Y., Cohoes, N. Y., Troy, N. Y., Breaker Island, N. Y., Albany, N. Y., and Schenectady, N. Y.; also same rate from Smith's Basin, N. Y., to Mechanicville, N. Y., Waterford, N. Y., West Waterford, N. Y., Cohoes, N. Y., Troy, N. Y., Breaker Island, N. Y., Albany, N. Y., and Schenectady, N. Y.; the said rate not to be exceeded to or from intermediate points; provided that a tariff naming said rate between the points above stated and the said or lower rates to specified intermediate destinations, and also the said or lower rates from any intermediate shipping points at which the traffic above described is the subject of sale and transportation, is filed with the Commission in Supplement No. 7 to tariff P. S. C., 2 N. Y., No. 1559, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 27, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 652, of date October 16, 1908."

Complete by Supplement No. 7 to P. S. C. No. 1559, effective October 21, 1908.

No. 653; October 16, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of thirty-five cents (\$0.35) per net ton on Stone, Crushed, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Solvay, N. Y., to Fairmount, N. Y.; also rate of ninety cents (\$0.90) per net ton on same commodity at same minimum carload weight from Solvay, N. Y., to Carthage, N. Y.; provided that a tariff naming said rates is filed with the Commission as Supplement No. 4 to tariff P. S. C., 2 N. Y., No. 4236, and posted at stations at least three (3) days prior to the effective date specified

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in such tariff, which effective date shall not be later than October 29, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 653, of date October 16, 1908."

Complete by Supplement No. 4 to P. S. C. No. 4236, effective October 24, 1908.

No. 654; October 17, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish rate of sixty cents (\$0.60) per net ton on ice, carloads, minimum weight as per tariff P. S. C., 2 N. Y., No. 1048, supplements thereto or superseding issues thereof, from Mount Upton, N. Y., to Maywood, N. Y.; provided that a tariff naming said rate is filed with the Commission in P. S. C., 2 N. Y., No. 1233, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than October 30, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 654, of date October 17, 1908."

Complete by P. S. C. No. 1233, effective October 23, 1908.

No. 655; October 19, 1908; The Pennsylvania Railroad Company:

Ordered: That The Pennsylvania Railroad Company be and is hereby authorized to establish rate of eighty cents (\$0.80) per two thousand (2,000) pounds, on ice, carloads, minimum weight forty thousand (40,000) pounds, from Horseheads, N. Y., to Newark, N. Y.; provided that a tariff naming said rate is filed with the Commission as K. K., P. S. C., 2 N. Y. 133, and posted at stations at least one day prior to the effective date specified in such tariff, which effective date shall not be later than October 30, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 655, of date October 19, 1908."

Complete by K. K., P. S. C. No. 133, effective October 25, 1908.

No. 656; October 20, 1908; Rochester and Eastern Rapid Railway Company:

Upon application of the Rochester and Eastern Rapid Railway Company, filed October 20, 1908, it appearing that on account of certain increases which would be made in the fares it is desired to withdraw its joint passenger tariff, P. S. C., 2 N. Y., No. 6, filed September 24, 1908, to become effective October 24, 1908, and to continue in force the fares which are in effect and contained in joint passenger tariff P. S. C., 2 N. Y., No. 3, and for other good cause shown, it is

Ordered: That the Rochester and Eastern Rapid Railway Company be and is hereby authorized to cancel by supplement issue its joint passenger tariff P. S. C., 2 N. Y., No. 6, and to reestablish, effective October 24, 1908, joint passenger tariff P. S. C., 2 N. Y., No. 3, and the fares contained therein; provided that notice of such change is filed with the Commission in Supplement No. 1 to tariff P. S. C., 2 N. Y., No. 6, and posted at stations at least one day prior to the effective date specified in such tariff, which effective date shall not be later than October 24, 1908. Such tariff shall be so filed and posted within three (3) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 656, of date October 20, 1908."

Complete by Supplement No. 1 to P. S. C. No. 6, effective October 24, 1908.

No. 657; October 20, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of eight cents (\$0.08) per one hundred pounds on Malt, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, and supplements thereto or superseding issues thereof, from Adams, N. Y., to Amsterdam, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 4929, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 26, 1908.

It is further Ordered: That such tariff shall be issued as expiring November 11, 1908, and refer for future rate to tariff P. S. C., 2 N. Y., No. 4913; provided it shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 657, of date October 20, 1908."

Complete by P. S. C. No. 4929, effective October 23, 1908.

No. 658; October 20, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rate of fifty cents (\$0.50) per net ton on Ice, carloads, minimum weight twenty (20) net tons, from Cameron Mills, N. Y., to Tioga Center, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1062, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 26, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 658, of date October 20, 1908."

Complete by P. S. C. No. 1062, effective October 24, 1908.

No. 659; October 20, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish rate of six cents (\$0.06) per one hundred pounds on Apples (Green, Dried, or Evaporated), Cabbage, Onions, Pears, Pumpkins, or Squash, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 987, and supplements thereto or superseding issues thereof, from Port Gibson, N. Y., to Geneva, N. Y.; provided that a tariff naming said rate is filed with the Commission as Supplement No. 2 to tariff P. S. C., 2 N. Y., No. 1202, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than October 26, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 659, of date October 20, 1908."

Complete by Supplement No. 2 to P. S. C. No. 1202, effective October 23, 1908.

No. 660; October 22, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rates applying to the shipment of Grapes from Penn Yan, N. Y., and Watkins, N. Y., to Watertown, N. Y., of thirty cents (\$0.30) per one hundred pounds, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, and supplements thereto or superseding issues thereof; and thirty-five cents (\$0.35) per one hundred

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pounds, less carloads; provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 4939, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 2, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 660, of date October 22, 1908."

Complete by P. S. C. No. 4939, effective October 26, 1908.

No. 661; October 22, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized, in connection with the New York, Ontario and Western Railway Company, to cancel tariff P. S. C., 2 N. Y., No. 1281, effective November 13, 1908, and to reestablish rates on Stone, Crushed, carloads, minimum weight to be marked capacity of car, but not less than forty thousand (40,000) pounds, from Tompkins Cove, N. Y., and Jones Point, N. Y., via Cornwall, N. Y., to stations on New York, Ontario and Western Railway, as follows:

To	Rates per net ton.	To	Rates per net ton.
Centerville, N. Y.	\$1 00	High Falls, N. Y.	\$1 50
Crawford Junction, N. Y.	1 00	Liberty, N. Y.	1 00
Ellenville, N. Y.	1 50	Middletown, N. Y.	1 00
Ferndale, N. Y.	1 00	Norwich, N. Y.	1 80
Hancock, N. Y.	1 50	Sidney, N. Y.	1 80

Provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 1284, and posted at stations at least ten (10) days prior to the effective date specified in such tariff, which effective date shall be November 13, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on ten (10) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 661, of date October 22, 1908."

Complete by P. S. C. No. 1284, effective November 13, 1908.

No. 662; October 22, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to cancel Supplement No. 12 to tariff P. S. C., 2 N. Y., No. 2703, effective October 31, 1908, and to reissue said schedule making no change therein except to correct typographical error on page 2 in effective date reading "October 30, 1908," to read October 31, 1908; provided that a tariff in which said correction is made is filed with the Commission as Supplement No. 13 to tariff P. S. C., 2 N. Y., No. 2703, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall be October 31, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on at least three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 662, of date October 22, 1908."

Complete by Supplement No. 13 to P. S. C. No. 2703, effective October 30, 1908.

No. 663; October 22, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to cancel Supplement No. 12 to tariff P. S. C., 2 N. Y., No. 512, effective October 31, 1908, and to reissue said schedule making no change therein except to correct typographical error on page 2 in effective date reading "October 30,

1908," to read October 31, 1908; provided that a tariff in which said correction is made is filed with the Commission as Supplement No. 13 to tariff P. S. C., 2 N. Y., No. 512, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall be October 31, 1908. Such tariff shall be so filed and posted within six (6) days from the date of this order and bear the following notation: "Issued on at least three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 663, of date October 22, 1908."

Complete by Supplement No. 13 to P. S. C. No. 512, effective October 30, 1908.

No. 664; October 24, 1908; Erie Railroad Company:

Upon application of the Erie Railroad Company, filed October 22, 1908, it appearing that in transferring the rates on various commodities from specific into a general commodity tariff an error was made by which the specific tariffs were canceled seven (7) days prior to their being made effective in the general commodity tariff, and in order that the patrons of the company may not be put to any inconvenience, and for other good cause shown, it is

Ordered: That the Erie Railroad Company be and is hereby authorized to establish rate of sixty-five cents (\$0.65) per net ton on Bolts, Ash, carloads, minimum weight forty thousand (40,000) pounds, from Watts Flats, N. Y., to Jamestown, N. Y.; on Bolts, Stave and Heading, carloads, minimum weight forty thousand (40,000) pounds, to Buffalo, N. Y., Black Rock, N. Y., and East Buffalo, N. Y., the rates in cents per one hundred pounds as follows: From Cherry Creek, N. Y., 5; Collins, N. Y., 4; Conewango, N. Y., 5; Dayton, N. Y., 4½; Gowanda, N. Y., 4; Kennedy, N. Y., 5; South Dayton, N. Y., 4½; and to Lockport, N. Y., from Cherry Creek, N. Y., 6½; Gowanda, N. Y., 6; Randolph, N. Y., 7; South Dayton, N. Y., 6½; and to South Dayton, N. Y., from Randolph, N. Y., 4. Also rate of eighty cents (\$0.80) per net ton on Bolts, Wood, carloads, minimum weight forty thousand (40,000) pounds, to Little Valley, N. Y., from Cherry Creek, N. Y., Collins, N. Y., Conewango, N. Y., Markhams, N. Y., North Collins, N. Y., and South Dayton, N. Y. Also rate of three and one-half cents (\$0.03½) per one hundred pounds on Bolts, Wood and Logs, carloads, minimum weight forty thousand (40,000) pounds, from Niobe, N. Y., to Jamestown, N. Y. Also rate of two and one-half cents (\$0.02½) per one hundred pounds on Logs, carloads, minimum weight forty thousand (40,000) pounds, from Randolph, N. Y., to Salamanca, N. Y.; provided that a tariff naming said rates is filed with the Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be November 2, 1908. Such tariff shall be issued as expiring November 9, 1908, and refer for future rates to Supplement No. 56 to tariff P. S. C., 2 N. Y., No. A-100, and shall be so filed and posted within eight (8) days from the date of this and bear the following notation: "Issued on at least one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 664, of date October 24, 1908."

Complete by P. S. C., No. A-184, effective November 2, 1908.

No. 665; October 24, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of thirty-five cents (\$0.35) per net ton on Sand, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Hoffmans, N. Y., to Amsterdam, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 4944, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 4, 1908. Such

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tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 665, of date October 24, 1908."

Complete by P. S. C. No. 4944, effective October 28, 1908.

No. 666; October 24, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of seven and one-half cents (\$0.07½) per one hundred pounds on Beans, Dried, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, and supplements thereto or superseding issues thereof, from Walworth, N. Y., to Williamson, N. Y.; provided that a tariff naming said rate is filed with the Commission as Supplement No. 1 to tariff P. S. C., 2 N. Y., No. 4892, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 4, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 666, of date October 24, 1908."

Complete by Supplement No. 1 to P. S. C. No. 4892, effective October 30, 1908.

No. 667; October 26, 1908; The New York Central and Hudson River Railroad Company:

Upon application of The New York Central and Hudson River Railroad Company, filed October 24, 1908, it appearing that rates applying to the shipment of Grain and Grain Products from Buffalo, N. Y., and other specified points of origin to stations on the Rutland railroad have been established in tariff P. S. C., 2 N. Y., No. 4908, effective November 23, 1908, and that certain of such rates applying to interstate commerce must be changed and made effective November 1, 1908, to meet requirements of order of the Interstate Commerce Commission; therefore it is desired to change the effective date of tariff P. S. C., 2 N. Y., No. 4908, from November 23, 1908, to November 1, 1908, no change of rates applying to intrastate traffic to be made; and for other good cause shown, it is

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized, in connection with the Rutland Railroad Company, to cancel the rates contained in tariff P. S. C., 2 N. Y., No. 4908, effective November 23, 1908, and to reestablish, from the same points of origin to the same points of destination, the same rates applying to the same traffic, under the jurisdiction of the Commission, as effective November 1, 1908; provided that a tariff naming the intrastate rates now contained in tariff P. S. C., 2 N. Y., No. 4908, is filed with the Commission as P. S. C., 2 N. Y., No. 4949, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be November 1, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on at least one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 667, of date October 26, 1908."

Complete by P. S. C. No. 4949, effective November 1, 1908.

No. 668; October 27, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of

car is less, in which case the marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Buffalo, N. Y., East Buffalo, N. Y., and Black Rock, N. Y., the rates in cents per net ton, to the following stations: North Tonawanda, N. Y., 45; Niagara Falls, N. Y., Suspension Bridge, N. Y., Sanborn, N. Y., and Lockport, N. Y., 50; Gasport, N. Y., and Albion, N. Y., and intermediate stations, 65; Fancher, N. Y., and South Greece, N. Y., and intermediate stations, 75; Forks, N. Y., and Dellwood, N. Y., and intermediate stations, 45; Wende, N. Y., and West Batavia, N. Y., and intermediate stations, 55; Batavia, N. Y., Byron, N. Y., Attica, N. Y., and Alexander, N. Y., 65; West Bergen, N. Y., and Rochester, N. Y., and intermediate stations, 80; Getzville, N. Y., and Akron, N. Y., and intermediate stations, 55; LeRoy, N. Y., and Honeoye Falls, N. Y., and intermediate stations, 75; West Bloomfield, N. Y., and Wheelers, N. Y., and intermediate stations, 85; Pembroke, N. Y., and Stafford, N. Y., and intermediate stations, 65; all points of origin and destination to be named in the tariff; provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 4953, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 7, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 668, of date October 27, 1908."

Complete by P. S. C. No. 4953, effective November 7, 1908.

No. 669; October 27, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish on carload shipments of Ice, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Buffalo, N. Y., East Buffalo, N. Y., and Black Rock, N. Y., the rates in cents per net ton, to the following stations: Bowmansville, N. Y., and Clarence, N. Y., 45; Akron, N. Y., 55; Alabama, N. Y., and Byron Center, N. Y., and intermediate stations, 65; Bergen, N. Y., and Rochester, N. Y., and intermediate stations, 80; all points of origin and destination to be named in the tariff; provided that a tariff naming said rates is filed with the Commission as P. S. C. 2 N. Y., No. 1287, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 7, 1908. Such tariff shall be so filed and posted within ten days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 669, of date October 27, 1908."

Complete by P. S. C. No. 1287, effective November 7, 1908.

No. 670; October 27, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized, in connection with the New York, Ontario and Western Railway Company, to establish rate of one dollar and thirty-five cents (\$1.35) per net ton on Brick, Common, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 987, supplements thereto or superseding issues thereof, from New Paltz, N. Y., via Campbell Hall, N. Y., to Phillipsport, N. Y., and Ellenville, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1289, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which

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effective date shall not be later than November 9, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 670, of date October 27, 1908."

Complete by P. S. C. No. 1289, effective November 5, 1908.

No. 671; October 28, 1908; Middleburgh and Schoharie Railroad Company:

Ordered: That the Middleburgh and Schoharie Railroad Company be and is hereby authorized to establish rate of fifteen dollars (\$15.00) for special train of two (2) passenger cars from Middleburgh, N. Y., to Schoharie Court House, N. Y., and return, such special train going and returning on Thursday, October 29, 1908; all passengers boarding train in either direction to be carried free; such special train to leave Middleburgh, N. Y., at about seven-thirty (7:30) p. m., October 29, 1908, and to return leaving Schoharie Court House, N. Y., after the close of political meeting; provided that a tariff naming said rate is filed with the Commission and published in P. S. C., 2 N. Y., No. 11, and posted at stations on effective date of such tariff, which effective date shall be October 29, 1908. Such tariff shall be so filed and posted within one (1) day from the date of this order and bear the following notation: "Issued on notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 671, of date October 28, 1908."

Complete by P. S. C. No. 11, effective October 29, 1908.

No. 672; October 28, 1908; Boston and Maine Railroad:

Ordered: That the Boston and Maine Railroad be and is hereby authorized to cancel on its effective date, November 4, 1908, the rates applying to the switching movement of traffic at Mechanicville, N. Y., as contained in tariff P. S. C., 2 N. Y., No. 231, and to continue in effect the rates applying at Mechanicville, N. Y., to the switching movement of traffic as are now in effect and contained in tariff P. S. C., 2 N. Y., No. 195; provided that a tariff containing the said notice of change is filed with the Commission under Supplement No. 1 to P. S. C., 2 N. Y., No. 231, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 4, 1908. Such tariff shall be so filed and posted within seven (7) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 672, of date October 28, 1908."

Complete by Supplement No. 1 to P. S. C. No. 231, effective November 4, 1908.

No. 673; October 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of eight cents (\$0.08) per one hundred pounds on Malt, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, and supplements thereto or superseding issues thereof, from Adams, N. Y., to Albany, N. Y., Troy, N. Y., and Cohoes, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 4970, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 7, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 673, of date October 28, 1908."

Complete by P. S. C. No. 4970, effective November 3, 1908.

No. 674; October 29, 1908; Boston and Maine Railroad:

Ordered: That the Boston and Maine Railroad be and is hereby authorized to establish rate of thirty-five cents (\$0.35) per cubic yard of twenty-eight hundred (2800) pounds, on Sand and Gravel, carloads, minimum weight to be marked capacity of car, but in no case less than thirty thousand (30,000) pounds, from Johnsonville, N. Y., to Lansingburgh, N. Y.; provided that a tariff naming said rate is filed with the Commission in P. S. C., 2 N. Y., No. 237, and posted at stations at least five (5) days prior to the effective date specified in such tariff, which effective date shall not be later than November 12, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 674, of date October 29, 1908."

Complete by P. S. C. No. 237, effective November 7, 1908.

No. 675; October 29, 1908; Central New England Railway Company:

Ordered: That the Central New England Railway Company be and is hereby authorized, in connection with The New York Central and Hudson River Railroad Company, to establish rate of one dollar and thirty-five cents (\$1.35) per net ton on Ice, carloads, minimum weight twenty (20) net tons, from Stanfordville, N. Y., to Chatham, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 418, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 8, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 675, of date October 29, 1908."

Complete by P. S. C. No. 418, effective November 2, 1908.

No. 676; October 29, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish, in connection with The Delaware and Hudson Company, on carload shipments of Petroleum and Petroleum Products, articles and minimum carload weights as specified in tariff P. S. C., 2 N. Y., No. 208, the rates in cents per one hundred pounds, from Buffalo, N. Y., to The Delaware and Hudson Company stations shown by index numbers in tariff P. S. C., 2 N. Y., No. 1017, as follows: Windsor, N. Y., to Center Village, N. Y., index numbers 27 to 29, inclusive, and Port Crane, N. Y., to Mechanicville, N. Y., index numbers 31 to 83, inclusive, 12; Round Lake, N. Y., to Rouses Point, N. Y., index numbers 84 to 173, inclusive, except to such points as the movement of the traffic would be interstate commerce, 17; provided that a tariff naming said rates is filed with the Commission in Supplement No. 11 to tariff P. S. C., 2 N. Y., No. 208, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than November 11, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 676, of date October 29, 1908."

Complete by Supplement No. 11 to P. S. C. No. 208, effective November 11, 1908.

No. 677; October 29, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized, in connection with The Delaware and Hudson Company, to establish on carload shipments of Petroleum and Petroleum Products, articles and minimum

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carload weights as specified in tariff P. S. C., 2 N. Y., No. 209, the rates in cents per one hundred pounds, from Rochester, N. Y., to The Delaware and Hudson Company stations shown by index numbers in tariff P. S. C., 2 N. Y., No. 1017, as follows: Windsor, N. Y., and Center Village, N. Y., index numbers 27 to 29, inclusive, and Port Crane, N. Y., to Mechanicville, N. Y., index numbers 31 to 83, inclusive, 11; Round Lake, N. Y., to Rouses Point, N. Y., index numbers 84 to 173, inclusive, except to such points as the movement of the traffic would be interstate commerce, 16; provided that a tariff naming said rates is filed with the Commission in Supplement No. 12 to tariff P. S. C., 2 N. Y., No. 209, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than November 11, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 677, of date October 29, 1908."

Complete by Supplement No. 12 to P. S. C. No. 209, effective November 11, 1908.

No. 678; October 29, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish, in connection with The Delaware and Hudson Company, on carload shipments of Petroleum and Petroleum Products, articles and minimum carload weights as specified in tariff P. S. C., 2 N. Y., No. 210, the rates in cents per one hundred pounds, from Wellsville, N. Y., to The Delaware and Hudson Company stations shown by index numbers in tariff P. S. C., 2 N. Y., No. 1017, as follows: Windsor, N. Y., to Center Village, N. Y., index numbers 27 to 29, inclusive, and Port Crane, N. Y., to Mechanicville, N. Y., index numbers 31 to 83, inclusive, 12; Round Lake, N. Y., to Rouses Point, N. Y., index numbers 84 to 173, inclusive, except to such points as the movement of the traffic would be interstate commerce, 17; provided that a tariff naming said rates is filed with the Commission in Supplement No. 11 to tariff P. S. C., 2 N. Y., No. 210, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than November 11, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 678, of date October 29, 1908."

Complete by Supplement No. 11 to P. S. C. No. 210, effective November 11, 1908.

No. 679; October 29, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish, in connection with The Delaware and Hudson Company, on carload shipments of Petroleum and Petroleum Products, articles and minimum carload weights as specified in tariff P. S. C., 2 N. Y., No. 211, the rates in cents per one hundred pounds from Olean, N. Y., to The Delaware and Hudson Company stations shown by index numbers in tariff P. S. C., 2 N. Y., No. 1017, as follows: Windsor, N. Y., to Center Village, N. Y., index numbers 27 to 29, inclusive, and Port Crane, N. Y., to Mechanicville, N. Y., index numbers 31 to 83, inclusive, 12; Round Lake, N. Y., to Rouses Point, N. Y., index numbers 84 to 173, inclusive, except to such points as the movement of the traffic would be interstate commerce, 17; provided that a tariff naming said rates is filed with the Commission in Supplement No. 15 to tariff P. S. C., 2 N. Y., No. 211, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than November 11, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear

the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 679, of date October 29, 1908."

Complete by Supplement No. 15 to P. S. C. No. 211, effective November 11, 1908.

No. 680; October 30, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on shipments of Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Buffalo, N. Y., East Buffalo, N. Y., and Black Rock, N. Y., the rates in cents per net ton to the following stations: East Rochester, N. Y., and Macedon, N. Y., and intermediate stations, 100; Walworth, N. Y., and Savannah, N. Y., and intermediate stations, 120; Fox Ridge, N. Y., and Syracuse, N. Y., and intermediate stations, 140; Pittsford, N. Y., and Railroad Mills, N. Y., and intermediate stations, 100; Fishers, N. Y., and Chappaqua, N. Y., and intermediate stations, 120; Shortsville, N. Y., and Seneca Falls, N. Y., and intermediate stations, 130; Cayuga, N. Y., and Camillus, N. Y., and intermediate stations, 140; all points of origin and destination to be named in the tariff; provided that a tariff naming said rates is filed with the Commission as P. S. C. 2 N. Y., No. 4953, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 7, 1908. Such tariff shall be so filed and posted within seven (7) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 680, of date October 30, 1908."

Complete by P. S. C. No. 4953, effective November 7, 1908.

No. 681; October 30, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish on carload shipments of Ice, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Buffalo, N. Y., East Buffalo, N. Y., and Black Rock, N. Y., the rates in cents per net ton to the following stations: Mortimer, N. Y., and Macedon, N. Y., and intermediate stations, 100; Palmyra, N. Y., and Montezuma, N. Y., and intermediate stations, 120; Port Byron, N. Y., and Syracuse, N. Y., and intermediate stations, 140; all points of origin and destination to be named in the tariff; provided that a tariff naming said rates is filed with the Commission as P. S. C. 2 N. Y., No. 1287, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 7, 1908. Such tariff shall be so filed and posted within seven (7) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 681, of date October 30, 1908."

Complete by P. S. C. No. 1287, effective November 7, 1908.

No. 682; November 2, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized, in connection with The Delaware and Hudson Company, the Boston and Maine Railroad, and the Rutland Railroad Company, to establish rate of twelve cents (\$0.12) per one hundred pounds on Grain and Grain Products,

carloads, articles and minimum carload weights as specified in tariff P. S. C., 2 N. Y., No. 359, and supplement thereto, from Buffalo, N. Y., to The Delaware and Hudson Company stations Greenfield, N. Y., to North Creek, N. Y., inclusive, and intermediate stations; Clemons, N. Y., to Mooers Junction, N. Y., and Rouses Point, N. Y., inclusive, and intermediate stations; Plattsburgh, N. Y., to Ausable Forks, N. Y., inclusive, and intermediate stations; Morrisonville, N. Y., to Wolf Pond, N. Y., inclusive, and intermediate stations; Plumadore, N. Y., to Saranac Lake, N. Y., inclusive, and intermediate stations; Boston and Maine Railroad stations Buskirk, N. Y., Eagle Bridge, N. Y., East Buskirk, N. Y., Hoosick, N. Y., Hoosick Falls, N. Y., Hoosick Junction, N. Y., North Hoosick, N. Y., Petersburgh Junction, N. Y., Saratoga, N. Y., Schuyerville, N. Y., Waloomsac, N. Y., Wayville, N. Y., White Creek, N. Y.; Rutland railroad stations Adams Crossing, N. Y., Berlin, N. Y., Brainards, N. Y., Center Lebanon, N. Y., Center Berlin, N. Y., Chatham, N. Y., Lebanon Springs, N. Y., North Lebanon, N. Y., North Stephentown, N. Y., Old Chatham, N. Y., Petersburgh, N. Y., Rayville, N. Y., South Berlin, N. Y., Stephentown, N. Y., West Lebanon, N. Y.; all points of origin and destination to be shown in the tariff; provided that a tariff naming said rate is filed with the Commission in Supplement No. 6 to P. S. C., 2 N. Y., No. 359, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than November 15, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 682, of date November 2, 1908."

Complete by Supplement No. 6 to P. S. C. No. 359, effective November 12, 1908.

No. 683; November 2, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of fifty-five cents (\$0.55) per net ton on Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case shall the minimum weight be less than forty thousand (40,000) pounds, from Massena Springs, N. Y., to Ogdensburg, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 4996, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 13, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 683, of date November 2, 1908."

Complete by P. S. C. No. 4996, effective November 7, 1908.

No. 684; November 2, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of forty cents (\$0.40) per ton, minimum fifteen (15) tons (net or gross as commodity may be rated), for switching freight in carloads, in either direction, between junction of the New York Central and Hudson River railroad with The Delaware and Hudson Company at Albany, N. Y., and Rensselaer, N. Y.; provided that a tariff naming said rate is filed with the Commission in P. S. C., 2 N. Y., No. 4994, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 7, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation:

"Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 684, of date November 2, 1908."

Complete by P. S. C. No. 4994, effective November 7, 1908.

No. 685; November 2, 1908; International Railway Company:

Ordered: That the International Railway Company be and is hereby authorized to establish as applying to the shipment of freight in connection with the rates contained in tariffs of its issue, the ratings, rules, and regulations contained in the schedules issued by D. O. Ives, chairman of the Official Classification committee, as Supplements Nos. 5 and 6 to Official Classification No. 32; provided that tariffs containing such ratings, rules, and regulations are filed with the Commission in Supplements Nos. 5 and 6 to tariff P. S. C., 2 N. Y., No. 12, and posted at stations at least two (2) days prior to the effective date specified in such tariff, which effective date shall not be later than November 14, 1908. Such tariffs shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on two (2) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 685, of date November 2, 1908."

Complete by Supplements Nos. 5 and 6 to P. S. C. No. 12, effective November 9, 1908.

No. 686; November 4, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to establish rate of forty-three cents (\$0.43) per gross ton on Ore, Iron, carloads, minimum weight twenty-five (25) gross tons, from Standish, N. Y., and Lyon Mountain, N. Y., to Port Henry, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1792, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than November 17, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 686, of date November 4, 1908."

Complete by P. S. C. No. 1792, effective November 10, 1908.

No. 687; November 4, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on Ice, carloads, minimum weight fifty thousand (50,000) pounds unless marked capacity of car is less, in which case the marked capacity of car will govern, but in no case to be less than forty thousand (40,000) pounds, the following rates in cents per net ton: From Furniss, N. Y., and Oswego, N. Y., to Rome, N. Y., 65; to Utica, N. Y., 85; to Little Falls, N. Y., 100; provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 5002, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 15, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 687, of date November 4, 1908."

Complete by P. S. C. No. 5002, effective November 9, 1908.

No. 688; November 4, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish, in connection with the West Shore Railroad (The New York Central and Hudson River Railroad Com-

pany, Lessee), rate of nine and one-half cents (\$0.09½) per one hundred pounds on Cider Apples, in bulk, Apple Waste, Apple Chops, Apple Cores, Apple Skins, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, and supplements thereto or superseding issues thereof, from Auburn, N. Y., to Catskill, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5001, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 15, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 688, of date November 4, 1908."

Complete by P. S. C. No. 5001, effective November 7, 1908.

No. 689; November 4, 1908; West Shore Railroad (N. Y. C. & H. R. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish rate of twelve cents (\$0.12) per one hundred pounds on Cider Apples, in bulk, Apple Waste, Apple Chop, Apple Cores, Apple Skins, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 987, and supplements thereto or superseding issues thereof, from Oakfield, N. Y., to Catskill, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1302, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 15, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 689, of date November 4, 1908."

Complete by P. S. C. No. 1302, effective November 7, 1908.

No. 690; November 5, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish upon shipments of Apples (Green, Dried, and Evaporated), Cabbage, Onions, Pears, Pumpkins, and Squash, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, and supplements thereto or superseding issues thereof, destined to East Rochester, N. Y., the rates in cents per one hundred pounds from New York state stations as follows: Webster, 6½; Union Hill, 6½; Lakeside, 7; Ontario, 7; Williamson, 7; Sodus, 7; Wallington, 7; Alton, 7½; North Rose, 7½; Wolcott, 8; Red Creek, 8; Sterling, 8½; Crocketts, 8½; Hannibal, 8½; Furniss, 8½; Oswego, 8½; Scriba, 9; New Haven, 9; Mexico, 9½; Daysville, 9½; Pulaski, 9½; provided that a tariff naming said rates is filed with the Commission as Supplement No. 5 to P. S. C., 2 N. Y., No. 4528, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 16, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 690, of date November 5, 1908."

Complete by Supplement No. 5 to P. S. C. No. 4528, effective November 12, 1908.

No. 691; November 5, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of one dollar and twenty-

five cents (\$1.25) per net ton on Brick, Building, Chimney, Common, Hollow, Pressed, Salt Glazed (not enameled), when shipped the same as Pressed Brick, individual brick not being packed, Brick and Clay Conduits, Fire Proofing (made of clay, plaster, gypsum rock, or cement), and Hollow Building Blocks, in carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, and supplements thereto or superseding issues thereof, from Canandaigua, N. Y., to Oswego, N. Y.; provided that a tariff naming said rate is filed with the Commission as Supplement No. 1 to tariff P. S. C., 2 N. Y., No. 4940, and posted at stations at least ten (10) days prior to the effective date, November 24, 1908, to be specified in the tariff. Such tariff shall be so filed and posted within nine (9) days from the date of this order and bear the following notation: "Issued on ten (10) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 691, of date November 5, 1908."

Complete by Supplement No. 1 to P. S. C. No. 4940, effective November 24, 1908.

No. 692; November 5, 1908; Catskill Mountain Railway Company:

Ordered: That the Catskill Mountain Railway Company be and is hereby authorized to correct its tariff P. S. C., 2 N. Y., No. 46, naming excursion fares for round-trip tickets between local stations, making change in the following provision: Tariff now reads, "Good only for passage if used within ten days, including date of sale, except that no ticket shall be made good for passage after November 17"; changed to read: "Good only for passage if used within ten days, including date of sale"; provided that a tariff naming said change is filed with the Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 7, 1908. Such tariff shall be so filed and posted within one (1) day from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 692, of date November 5, 1908."

Complete by P. S. C. No. 49, effective November 7, 1908.

No. 693; November 6, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of thirty-five cents (\$0.35) per net ton on Sand, carloads, minimum weight to be the marked capacity of car, but in no case less than forty thousand (40,000) pounds, from Tribes Hill, N. Y., to Amsterdam, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5007, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 17, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 693, of date November 6, 1908."

Complete by P. S. C. No. 5007, effective November 12, 1908.

No. 694; November 9, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized, in connection with The New York Central and Hudson River Railroad Company, to establish joint rate of eight and one-half cents (\$0.08½) per one hundred pounds on Cattle, carloads, minimum weight twenty thousand (20,000) pounds per car, from Little Falls, N. Y., to West Albany, N. Y.; and rate

of nine and one-half cents (\$0.09½) per one hundred pounds to Linlithgo, N. Y.; provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 1303, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 20, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 694, of date November 9, 1908."

Complete by P. S. C. No. 1303, effective November 12, 1908.

No. 695; November 9, 1908; Little Falls and Dolgeville Railroad Company:

Ordered: That the Little Falls and Dolgeville Railroad Company be and is hereby authorized to establish rate of five cents (\$0.05) per forty-quart can on Milk, in forty-quart cans, from Salisbury Center, N. Y., to Dolgeville, N. Y., the said rate to include the free return of empty cans; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 94, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than November 22, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 695, of date November 9, 1908."

Complete by P. S. C. No. 94, effective November 17, 1908.

No. 696; November 11, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized, in connection with the Central New England Railway Company, to establish rate of one dollar and ten cents (\$1.10) per net ton on Ice, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 1048, supplements thereto or superseding issues thereof, from Burnside, N. Y., to Hopewell Junction, N. Y., via Campbell Hall, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1244, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than November 24, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 696, of date November 11, 1908."

Complete by P. S. C. No. 1244, effective November 15, 1908.

No. 697; November 11, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish, in connection with the Boston and Maine Railroad, rate of seventy-five cents (\$0.75) per net ton on Stone, Crushed, carloads, minimum weight marked capacity of car, but in no case to be less than forty thousand (40,000) pounds, from Pattersonville, N. Y., to Scotia, N. Y., via Rotterdam Junction, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1305, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than November 24, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 697, of date November 11, 1908."

Complete by P. S. C. No. 1305, effective November 14, 1908.

No. 698; November 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized, in connection with The Delaware, Lackawanna and Western Railroad Company, to establish rate of eighty-five cents (\$0.85) per net ton on Brick, Common, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, supplements thereto or superseding issues thereof, from East Syracuse, N. Y., to Minetto, N. Y., via Syracuse, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5020, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 22, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 698, of date November 11, 1908."

Complete by P. S. C. No. 5020, effective November 17, 1908.

No. 699; November 11, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized, in connection with The Delaware, Lackawanna and Western Railroad Company, to establish rate of eighty-five cents (\$0.85) per net ton on Brick, Common, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 987, supplements thereto or superseding issues thereof, from Amboy, N. Y., to Minetto, N. Y., via Syracuse, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1311, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 22, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 699, of date November 11, 1908."

Complete by P. S. C. No. 1311, effective November 17, 1908.

No. 700; November 11, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to establish upon shipments of Brick, Building, Common Red, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 475, or exceptions thereto, P. S. C., 2 N. Y., No. 466, and supplements thereto or superseding issues thereof, the rates in cents per net ton, from Syracuse, N. Y., and Solvay, N. Y., to New York state stations named herein below:

Chenango Bridge	80	Tully	45
Chenango Forks	80	Apulia	45
Barker (Broome Co.)	80	Onatvia	45
Whitney's Point	75	Jamesville	40
Lisle	75	Syracuse	80
Killawog	75	Solvay	40
Marathon (Cortland Co.)	75	Lakeside	40
Messengerille	70	Stiles	40
Blodgett's Mills	70	Baldwinsville	40
Cortland	65	Lamsons	60
McGraw	80	South Granby	60
Solon	100	Fulton	60
East Freetown	100	Minetto	60
Cornell	100	Oswego	60
Whites Mills	100	Willards (Chenango Co.)	100
Gee Brook	100	Greene	100
Cincinnatus	100	Brisbin	100
Homer	80	Coventry	100
Little York	80	Oxford (Chenango Co.)	100
Preble	80		

Provided that a tariff naming said rates is filed with the Commission in Supplement No. 3 to P. S. C., 2 N. Y., No. 590, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 22, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 700, of date November 11, 1908."

Complete by Supplement No. 3 to P. S. C. No. 590, effective November 16, 1908.

No. 701; November 12, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to correct the heading on page 7 of tariff P. S. C., 2 N. Y., No. 639, which now reads: "From stations named to stations on the D. L. & W. R. R. shown on page 2 as taking rate group numbers as follows:" to read "To stations named from stations on the D. L. & W. R. R. shown on page 2 as taking rate group numbers as follows:"; provided that a tariff containing said correction is filed with the Commission as Supplement No. 1 to tariff P. S. C., 2 N. Y., No. 639, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be December 2, 1908. Such tariff shall be so filed and posted within nineteen (19) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 701, of date November 12, 1908."

Complete by Supplement No. 1 to P. S. C. No. 639, effective December 2, 1908.

No. 702; November 16, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of eight cents (\$0.08) per one hundred pounds on Canned Fruit and Vegetables, in cases, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, and supplements thereto or superseding issues thereof, from Williamstown, N. Y., to Syracuse, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5031, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 27, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 702, of date November 16, 1908."

Complete by P. S. C. No. 5031, effective November 20, 1908.

No. 703; November 16, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish, in connection with The New York Central and Hudson River Railroad Company, on shipments of Apples (Green, Dried, and Evaporated), Cabbage, Onions, Pears, Pumpkins, and Squash, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 987, and supplements thereto or superseding issues thereof, to Rochester, Brighton Station (N. Y. C. & H. R. R. R.), N. Y., and LeRoy, N. Y., the rates in cents per one hundred pounds, from the following New York state stations:

From	To Rochester. Brighton Station (N. Y. C. & H. R. R. R.), N. Y.	To LeRoy, N. Y.	From	To Rochester. Brighton Station (N. Y. C. & H. R. R. R.), N. Y.
Fairport	5 $\frac{1}{4}$	7 $\frac{1}{2}$	Bowmansville	7 $\frac{1}{2}$
Wayneport	6	7 $\frac{1}{2}$	Clarence	7 $\frac{1}{2}$
Macedon	6	7 $\frac{1}{2}$	Akron	7
I'almryra	7	8	Alabama	7
Port Gibson	7	8	Wheatville	7
Newark	7	8 $\frac{1}{2}$	Oakfield	7
Lyons	7	8 $\frac{1}{2}$	Elba	7
Clyde	7	8 $\frac{1}{2}$	Byron Center	6 $\frac{1}{2}$
Savannah	7	8 $\frac{1}{2}$	Bergen	6
Montezuma	7 $\frac{1}{2}$	9	Churchville	5 $\frac{1}{2}$
I'ort Byron	7 $\frac{1}{2}$	9	Chill Center	5 $\frac{1}{2}$
Weedsport	7 $\frac{1}{2}$	9 $\frac{1}{2}$	Maplewood	6 $\frac{1}{2}$
Jordan	8	9 $\frac{1}{2}$	Genesee Junction	6 $\frac{1}{2}$
Memphis	8	10	Mortimer	6 $\frac{1}{2}$
Amboy	8 $\frac{1}{2}$	10	Ridgeland	6 $\frac{1}{2}$
			Edgewood	6 $\frac{1}{2}$

Provided that a tariff naming said rates is filed with the Commission as Supplement No. 3 to tariff P. S. C., 2 N. Y., No. 1202, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 27, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 703, of date November 16, 1908."

Complete by Supplement No. 3 to P. S. C. No. 1202, effective November 24, 1908.

No. 704; November 18, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of seventy-five cents (\$0.75) per net ton on Sand, carloads, minimum weight marked capacity of car, but in no case less than forty thousand (40,000) pounds, from Charlotte, N. Y., to Syracuse, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5032, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than December 1, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 704, of date November 18, 1908."

Complete by P. S. C. No. 5032, effective November 28, 1908.

No. 705; November 18, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of fifteen cents (\$0.15) per one hundred pounds on Grain and Grain Products, as per list shown in exceptions to Official Classification, P. S. C., 2 N. Y., No. 4753, and supplements thereto or superseding issues thereof, less carloads, from Watertown, N. Y., to Hoffmans, N. Y., Schenectady, N. Y., West Albany, N. Y., Albany, N. Y., Cohoes, N. Y., Troy, N. Y., and Green Island, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5034, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 29, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 705, of date November 18, 1908."

Complete by P. S. C. No. 5034, effective November 25, 1908.

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No. 706; November 18, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized, in connection with The New York Central and Hudson River Railroad Company, to establish rate of forty-five cents (\$0.45) per net ton on Sand, carloads, minimum weight marked capacity of car, but in no case less than forty thousand (40,000) pounds, from Pattersonville, N. Y., to Amsterdam, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1319, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than December 1, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 706, of date November 18, 1908."

Complete by P. S. C. No. 1319, effective November 24, 1908.

No. 707; November 19, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish rate of fifty cents (\$0.50) per net ton on Beets, Sugar, carloads, minimum carload weight forty thousand (40,000) pounds, from Newark, N. Y., to Lyons, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1320, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 30, 1908. Such tariff shall be so filed and posted within ten (10) days from the day of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 707, of date November 19, 1908."

Complete by P. S. C. No. 1320, effective November 25, 1908.

No. 708; November 19, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized, in connection with the New York, Ontario and Western Railway Company, to establish on less carload shipments of Flour and Feed, from Watertown, N. Y., the rates in cents per one hundred pounds, to New York, Ontario and Western railway stations in New York state, and via the routes, as follows:

Station.	Rate.	Via.
New Hartford	10	Utica.
Clinton	10	"
Bartlett	11	Rome.
Westmoreland	12	"
Clark Mills	12	"
Kirkland	12	"
Franklin Springs	12	"
Deansboro	12	"
Oriskany Falls	12	"
Solsville	12	"
Buckville	12	"
Hamilton	12	"
West Monroe	10 $\frac{1}{2}$	Central Square.
Constantia	11 $\frac{1}{2}$	" "
Bernards	12	" "
Cleveland	12	" "
Jewell	12	" "
North Bay	12	" "
Fish Creek	12	" "
State Bridge	12	" "
Durhamville	12	" "

Provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 5036, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than December 2, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 708, of date November 19, 1908."

Complete by P. S. C. No. 5036, effective November 28, 1908.

No. 709; November 21, 1908; New York, Ontario and Western Railway Company:

Upon application of the New York, Ontario and Western Railway Company, filed November 21, 1908, it appearing that through error tariff P. S. C., 2 N. Y., No. 1239, was not made to show the authorities held by the issuing carrier from participating carriers concurring in the joint rates contained therein subject to the jurisdiction of the Commission, and for other good cause shown, it is

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to amend tariff P. S. C., 2 N. Y., No. 1239, by supplement issue, and to show therein the concurrence form and number of participating carriers held by the New York, Ontario and Western Railway Company, conveying authority for establishing the joint rates contained in the tariff and subject to the jurisdiction of the Commission; provided that a tariff containing said change is filed with the Commission as Supplement No. 1 to tariff P. S. C., 2 N. Y., No. 1239, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than December 9, 1908. Such tariff shall be so filed and posted within fifteen (15) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 709, of date November 21, 1908."

Complete by Supplement No. 1 to P. S. C. No. 1239, effective December 9, 1908.

No. 710; November 23, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate on High Explosives of three (3) times first class on less carloads, and first class on carload shipments, between stations on its R., W. & O. division and Adirondack division; provided that a tariff containing said ratings is filed with the Commission in Supplement No. 2 to tariff P. S. C., 2 N. Y., No. 4753, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than December 4, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 710, of date November 23, 1908."

Complete by Supplement No. 2 to P. S. C. No. 4753, effective December 3, 1908.

No. 711; November 24, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish on shipments of Gravel and Sand, Building, in carloads, minimum carload weight to be the marked capacity of car, rate of forty-five cents (\$0.45) per two thousand (2,000) pounds from New Bridge Road, N. Y., and rate of forty cents (\$0.40) per two thousand (2,000) pounds from

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Norwood, N. Y., to Long Beach, N. Y.; provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 212, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than December 7, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 711, of date November 24, 1908."

Complete by P. S. C. No. 212, effective December 3, 1908.

No. 712; November 27, 1908; Marcellus and Otisco Lake Railway Company:

Ordered: That the Marcellus and Otisco Lake Railway Company be and is hereby authorized to establish rate of thirty-five cents (\$0.35) per net ton on Stone, Rough Building, in carloads, minimum weight sixty thousand (60,000) pounds, from Marcellus, N. Y., to Otisco Lake, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than December 8, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 712, of date November 27, 1908."

Complete by P. S. C. No. 5, effective December 6, 1908.

No. 713; November 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of eight cents (\$0.08) per one hundred pounds on Nursery Moss, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, and supplements thereto or superseding issues thereof, from Parish, N. Y., to Brighton, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5050, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than December 9, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. 713, of date November 28, 1908."

Complete by P. S. C. No. 5050, effective December 4, 1908.

No. 714; December 1, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of six and one-half ($6\frac{1}{2}$) cents per one hundred pounds on Lumber, Lath, and Sawdust, in carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 4019, supplements thereto or superseding issues thereof, and on Shavings, in carloads, minimum weight twenty-four thousand (24,000) pounds, from Barrytown, N. Y., to High Bridge, N. Y., and Kings Bridge, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5053, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than December 12, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 714, of date December 1, 1908."

Complete by P. S. C. No. 5053, effective December 11, 1908.

No. 715; December 1, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized, in connection with the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), to establish rate of one dollar and sixty cents (\$1.60) per net ton on Brick, White Building, carloads, minimum weight forty thousand (40,000) pounds, from Glens Falls, N. Y., to West Point, N. Y., via South Schenectady, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1811, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than December 14, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 715, of date December 1, 1908."

Complete by P. S. C. No. 1811, effective December 7, 1908.

No. 715a; December 2, 1908; Boston and Maine Railroad:

Upon complaint of the Champlain Brick Company, Ferris Paving Brick Company, and New England Brick Company, and answer herein and the evidence presented at a hearing held before the Commission in the city of Albany on the 16th day of November, 1908, it appears, and the Commission finds and determines, that since August 27, 1906, and for a number of years prior thereto, defendant's voluntarily established charge for the switching of freight in carloads between complainants' plants or yards in Mechanicville, N. Y., and the tracks of The Delaware and Hudson Company in Mechanicville, in relation to shipments transported within this State, has been the sum of \$2.00 per car; that defendant filed a schedule with this Commission September 30, 1908, to be effective November 4, 1908, increasing the said switching charge to 30 cents per net ton, except on coal, for which the said charge was thereby fixed at 30 cents per gross ton; that in consequence of the early hearing fixed for this case defendant was granted a postponement of such hearing to November 16, 1908, to enable said defendant to have further and sufficient time for the preparation and submission of its defense herein, upon condition that the said increased rates of 30 cents per ton be canceled and not again made effective until December 7, 1908; that the said cancellation was thereafter made by defendant and a new tariff was filed by defendant October 31, 1908, making the said rate of 30 cents per ton as aforesaid effective on December 7, 1908; that the said rate of 30 cents per ton upon a carload of brick weighing thirty thousand pounds constitutes an increase in the switching charge from \$2.00 to \$9.00 per car; that the carload of brick often exceeds thirty thousand pounds, and such increased rate may often be \$12.00 or more per car; that such increased rate is prohibitive or otherwise excessive upon numerous, if not all, freight shipments made by or to complainants to which it may be applied; that the distances between complainants' plants, located on or near defendant's tracks, and the tracks of The Delaware and Hudson Company, are short, and the rate of \$2.00 per car voluntarily enforced by defendant on this switching service for a long period is compensatory and under all the circumstances just and reasonable; that the said increased rate of 30 cents per ton is unjust and unreasonable and in violation of the Public Service Commissions Law; upon all the facts and considerations in this case, and after due deliberation, it is

Ordered: That the defendant, Boston and Maine Railroad, be and is hereby directed and required to put in force in the manner provided by law on or before December 7, 1908, a rate or charge for switching loaded cars in either direction between complainants' plants or yards in Mechanicville, N. Y., to the customary place of delivery upon or at the tracks of The Delaware and Hudson Company in Mechanicville, which shall not exceed the sum of \$2.00 for each loaded car switched or hauled as aforesaid. It is further

Ordered: That this order shall remain in force and effect for a period of three years from December 7, 1908, unless sooner modified, superseded, or ab-

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rogated by order of the Commission upon the application of any party or person interested.

Complete by P. S. C. No. 244, effective December 7, 1908.

No. 716; December 3, 1908; Buffalo, Rochester and Pittsburgh Railway Company:

Ordered: That the Buffalo, Rochester and Pittsburgh Railway Company be and is hereby authorized to establish rate of fifty-five (55) cents per net ton on shipments of Sand and Gravel, carloads, minimum weight forty thousand (40,000) pounds, from Scottsville, N. Y., to Bliss, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 382, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall not be later than December 16, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 716, of date December 3, 1908."

Complete by P. S. C. No. 382, effective December 10, 1908.

No. 717; December 7, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of sixty (60) cents per net ton on Stone, Crushed, carloads, minimum weight marked capacity of car, but in no case to be less than forty thousand (40,000) pounds, from Solvay, N. Y., to Furniss, N. Y., Hannibal, N. Y., and Crocketts, N. Y.; provided that a tariff naming said rate is filed with the Commission as Supplement No. 5 to tariff P. S. C., 2 N. Y., No. 4236, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall be not later than December 20, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 717, of date December 7, 1908."

Complete by Supplement No. 5 to P. S. C. No. 4236, effective December 15, 1908.

No. 718; December 7, 1908; New York and Ottawa Railway Company:

Ordered: That the New York and Ottawa Railway Company be and is hereby authorized, in connection with the Rutland Railroad Company and The New York Central and Hudson River Railroad Company, to establish rate of two dollars (\$2.00) per cubic cord on Wood, Fuel, carload minimum twelve (12) cubic cords, from Santa Clara, N. Y., Spring Cove, N. Y., Downey's, N. Y., Meno, N. Y., Bay Pond, N. Y., Derrick, N. Y., Tupper Lake Junction, N. Y., and Tupper Lake, N. Y., to Potsdam, N. Y., via Moira, N. Y., Rutland railroad, Norwood, N. Y., or via Moira, N. Y., and New York Central and Hudson River railroad; provided that a tariff naming said rate is filed with the Commission and posted at stations at least five (5) days prior to the effective date specified in such tariff, which effective date shall be not later than December 22, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 718, of date December 7, 1908."

Complete by P. S. C. No. 110, effective December 17, 1908.

No. 719; December 8, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to estab-

lish rate of sixty (60) cents per net ton on Ice, carloads, minimum weight fifty thousand (50,000) pounds, except when capacity of car is less, in which case the actual capacity of car will govern, but in no case shall the minimum carload weight be less than forty thousand (40,000) pounds, from South Utica, N. Y., to Syracuse, N. Y., and to intermediate stations, Clark Mills, N. Y., to Kirkville, N. Y.; also from Hecla, N. Y., to Syracuse, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1332, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than December 19, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 719, of date December 8, 1908."

Complete by P. S. C. No. 1332, effective December 14, 1908.

No. 720; December 8, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to establish on shipments of Flour and Feed from Jamesville, N. Y., Syracuse, N. Y., and Baldwinsville, N. Y., to local stations Willards, N. Y., to Washington Mills, N. Y., inclusive, including Richfield Springs branch, rate of seven (7) cents per one hundred pounds, carloads, and nine and one-half (9½) cents per one hundred pounds, less carloads; also to New Hartford, N. Y., and Utica, N. Y., six (6) cents per one hundred pounds, carloads, and nine and one-half (9½) cents per one hundred pounds, less carloads; provided that a tariff naming said rates is filed with the Commission as Supplement No. 1 to tariff P. S. C., 2 N. Y., No. 621, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall be not later than December 21, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 720, of date December 8, 1908."

Complete by Supplement No. 1 to P. S. C. No. 621, effective December 14, 1908.

No. 721; December 8, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to correct rate established in tariff P. S. C., 2 N. Y., No. 649, effective December 8, 1908, applying to switching at Syracuse, N. Y., between junction with the New York Central and Hudson River railroad or West Shore railroad (The New York Central and Hudson River Railroad Company, Lessee) and firms or industries having private or assigned sidings on Delaware, Lackawanna and Western railroad tracks in territory between Hiawatha avenue on the north and Temple street on the south, applying to General Merchandise, except Coal and Coke, to read three dollars and fifty cents (\$3.50) per car instead of two dollars (\$2.00) per car; provided that a tariff naming said change in rate is filed with the Commission as P. S. C., 2 N. Y., No. 665, and posted at stations at least five (5) days prior to the effective date specified in such tariff, which effective date shall be not earlier than December 15, 1908, nor later than December 23, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 721, of date December 8, 1908."

Complete by P. S. C. No. 665, effective December 17, 1908.

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No. 722; December 9, 1908; Erie Railroad Company:

Ordered: That the Erie Railroad Company be and is hereby authorized to establish on shipments of Grain and Grain Products, carloads, minimum weight as per Official Classification, except as otherwise specified in tariff, from Buffalo, N. Y., and other points of origin as shown in tariff P. S. C., 2 N. Y., No. 906, the rates, in cents per one hundred pounds, and to the New York state stations, as follows:

Addison	6	East Corning	6
Adrian	6	Elmira	6
Atlanta	6	Endicott	7
Avoca	6	Erwins	6
Barton	7	Hooper	7
Bath	6	Horseheads	6
Big Flats	6	Kanona	6
Binghamton	7	Lestershire	7
Cameron	6	Owego	7
Cameron Mills	6	Painted Post	6
Campbell	6	Rathbone	6
Campville	7	Savona	6
Canisteo	6	Smithboro	7
Chemung	7	Tioga Center	7
Cohocton	6	Union (Broome Co.)	7
Coopers	6	Wallace	6
Corning	6	Waverly	7
Curtis	6	Wellsburg	7

Provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 1093, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than December 20, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 722, of date December 9, 1908."

Complete by P. S. C. No. 1093, effective December 17, 1908.

No. 724; December 10, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized, in connection with The New York Central and Hudson River Railroad Company, to establish rate of one dollar and sixty cents (\$1.60) per net ton on Brick, Granite, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 1600, and supplements thereto or superseding issues thereof, from Glens Falls, N. Y., to 130th Street, New York, N. Y., via Troy, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1817, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall be not later than December 23, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 724, of date December 10, 1908."

Complete by P. S. C. No. 1817, effective December 15, 1908.

No. 725; December 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized, in connection with the Lehigh Valley Railroad Company, to establish on Scrap, Iron or Steel, Borings, Iron or Steel, Turnings, Iron or Steel, carloads, minimum weights as per Official Classification P. S. C., 2 N. Y., No. 5052, supplements thereto or superseding issues thereof, the rates per two thousand two hundred forty (2240) pounds between New York state stations, as follows:

From		To	
	Cortland	Elmira Heights	Owego
Albany	\$1.60	.....	\$1.70
Canandaigua	1.40	.....	.....
Clyde . . . . .	.....	\$1.40	.....
Cohoes	1.60	.....	.....
Fonda	1.50	.....	.....
Lockport	1.45	.....	.....
Oneida	1.25	.....	.....
Oswego	1.10	.....	.....
Rochester	1.45	.....	.....
Rome	1.25	.....	.....
Schenectady	1.60	.....	.....
Syracuse	1.00	.....	.....
Troy	1.60	.....	.....
Utica	1.25	.....	.....

Provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 5070, and posted at stations at least seven (7) days prior to the effective date specified in such tariff, which effective date shall be January 7, 1909. Such tariff shall be so filed and posted within twenty (20) days from the date of this order and bear the following notation: "Issued on at least seven (7) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 725, of date December 11, 1908."

Complete by P. S. C. No. 5070, effective January 7, 1909.

No. 726; December 11, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of five (5) cents per one hundred pounds on Grain and Grain Products, carloads, as per list and at minimum weights as shown in tariff P. S. C., 2 N. Y., No. 4753, supplements thereto or superseding issues thereof, from Carthage, N. Y., to Lake Bonaparte, N. Y., Harrisville, N. Y., Bacon, N. Y., Kalurah, N. Y., Jayville, N. Y., Aldrich, N. Y., Oswegatchie, N. Y., Benson Mines, N. Y., and Newton Falls, N. Y.; provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 5073, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall be not later than December 24, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 726, of date December 11, 1908."

Complete by P. S. C. No. 5073, effective December 21, 1908.

No. 727; December 12, 1908; The Pullman Company:

Ordered: That The Pullman Company be and is hereby authorized to establish charge of forty-five (45) cents for seat, in either direction, between Rochester, N. Y., and Syracuse, N. Y.; provided that a tariff naming said charge is filed with the Commission as Supplement No. 1 to tariff P. S. C., 2 N. Y., No. 40, and posted at stations at least five (5) days prior to the effective date specified in such tariff, which effective date shall be not later than December 27, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on five (5) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 727, of date December 12, 1908."

Complete by Supplement No. 1 to P. S. C. No. 40, effective December 22, 1908.

No. 728; December 14, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee), in connection with The New York

Central and Hudson River Railroad Company, be and is hereby authorized to establish rate of fifty-five (55) cents per net ton on Stone, Crushed, carloads, minimum weight to be marked capacity of car, but not less than forty thousand (40,000) pounds, from Little Falls, N. Y., to Humaston, N. Y.; provided that a tariff naming said rate is filed with the Commission as Supplement No. 1 to P. S. C., 2 N. Y., No. 1257, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall be not later than December 27, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 728, of date December 14, 1908."

Complete by Supplement No. 1 to P. S. C. No. 1257, effective December 26, 1908.

No. 729; December 14, 1908; Silver Lake Railway Company:

Ordered: That the Silver Lake Railway Company be and is hereby authorized to establish, effective January 1, 1909, the exceptions to Official Classification, to comply with the Commission's order of date September 17, 1908, in the matter of marking of less than carload shipments of freight; provided that a tariff containing said exceptions is filed with the Commission as P. S. C., 2 N. Y., No. 67, and posted at stations at least five (5) days prior to the effective date specified in such tariff, which effective date shall be January 1, 1909. Such tariff shall be so filed and posted within twelve (12) days from the date of this order and bear the following notation: "Issued on at least five (5) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 729, of date December 14, 1908."

Complete by P. S. C. No. 67, effective January 1, 1909.

No. 730; December 17, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized, in connection with the Lima-Honeoye Electric Light and Railroad Company, to establish rate of one dollar (\$1.00) per gross ton on Iron, Pig, carloads, minimum weight twenty-five (25) gross tons, except when the marked capacity of the car is less, in which case the marked capacity of car will be the minimum weight, but in no case shall the minimum weight be less than fifteen (15) gross tons, from Beach Ridge, N. Y., Black Rock, N. Y., Buffalo, N. Y., Depew, N. Y., East Buffalo, N. Y., Echota, N. Y., Forks, N. Y., Lancaster, N. Y., La Salle, N. Y., Lewiston, N. Y., Lockport, N. Y., Mapleton, N. Y., Niagara Falls, N. Y., North Tonawanda, N. Y., Sanborn, N. Y., Sawyers Creek, N. Y., and Suspension Bridge, N. Y., to Lima, N. Y., via Honeoye Falls, N. Y.; provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 5093, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than December 28, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 730, of date December 17, 1908."

Complete by P. S. C. No. 5093, effective December 21, 1908.

No. 731; December 17, 1908; International Railway Company:

Ordered: That the International Railway Company be and is hereby authorized to establish rules and regulations to govern car demurrage, such rules and regulations to be those submitted to the Commission as Proposed Rules and Regulations to satisfy complaint (C. C. 1404); such rules and regulations to include the Reciprocal Demurrage Agreement Clause, and to apply at all International Railway Company stations; provided that a

tariff containing said rules and regulations is filed with the Commission as P. S. C., 2 N. Y., No. 18, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall be not later than December 30, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 731, of date December 17, 1908."

Complete by P. S. C. No. 18, effective December 24, 1908.

No. 732; December 21, 1908; New York and Ottawa Railway Company:

Ordered: That the New York and Ottawa Railway Company be and is hereby authorized to establish rate of two (2) cents per one hundred pounds on Log Loader, on its own car, minimum carload weight thirty thousand (30,000) pounds, for transportation, in either direction, between Meno, N. Y., and Tupper Lake, N. Y., Tupper Lake Junction, N. Y., or St. Regis Falls, N. Y.; provided that a tariff naming said rate is filed with the Commission and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than January 1, 1909. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 732, of date December 21, 1908."

Complete by P. S. C. No. 111, effective December 25, 1908.

No. 733; December 21, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of seven dollars and fifty cents (\$7.50) per car for the switching of carload freight, in either direction, between sidings within the station limits at Lyons, N. Y., and Perkins Switch, which switch is located a short distance beyond the southern boundary of the Lyons, N. Y., station yard limits; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5100, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than January 1, 1909. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 733, of date December 21, 1908."

Complete by P. S. C. No. 5100, effective December 26, 1908.

No. 734; December 24, 1908; The Delaware and Hudson Company:

Ordered: That The Delaware and Hudson Company be and is hereby authorized to continue in force rate of sixty cents (\$0.60) per net ton on Lime, Building, carloads, from Chazy, N. Y., to Willsborough, N. Y., the said rate being now contained in tariff P. S. C., 2 N. Y., No. 1559, under an expiring date of January 1, 1909; provided that a tariff containing notice of extension of said rate is filed with the Commission under Supplement No. 10 to P. S. C., 2 N. Y., No. 1559, and posted at stations at least two (2) days prior to the effective date specified in such tariff, which effective date shall be January 1, 1909. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on at least two (2) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 734, of date December 24, 1908."

Complete by Supplement No. 10 to P. S. C. No. 1559, effective January 1, 1909.

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No. 735; December 24, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of fifty-six cents (\$0.56) per ton of two thousand two hundred and forty (2240) pounds, on Lime-stone, carloads, minimum carload weight to be marked capacity of car, but in no case less than twenty (20) gross tons, from Natural Bridge, N. Y., and Lake Bonaparte, N. Y., to Syracuse, N. Y., and Solvay, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5106, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than January 6, 1909. Such tariff shall be so filed and posted within twelve (12) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 735, of date December 24, 1908."

Complete by P. S. C. No. 5140, effective January 6, 1909.

No. 736; December 26, 1908; The New York Central and Hudson River Railroad Company:

Upon application of The New York Central and Hudson River Railroad Company, filed December 26, 1908, for itself and on behalf of all other carriers subject to the jurisdiction of and filing with the Commission schedule known as Official Classification No. 33, and for good cause shown, it is

Ordered: That all corporations subject to the jurisdiction of and filing with the Commission the schedule known as Official Classification No. 33, be and are hereby authorized to establish by note applying in connection with the articles indicated by reference to Official Classification No. 33, page and item numbers as follows:

Page	Item	Page	Item	Page	Item	Page	Item	Page	Item
29	8	64	1	125	2	136	13	156	12
41	{ 12	67	38	126	9	137	5	157	11
	21	82	10	127	1	139	1	160	36
48	11	84	15	131	3	141	13	162	28
45	3	85	18	133	28	143	31	170	26
52	1	103	16	134	12	144	9	183	25
53	11	112	14	136	{ 3	148	22	184	26
54	9	124	18		10	154	5		

the regulation "Note.—The following clause must be entered in full on shipping order and bill of lading and signed by consignor: 'The consignor of this property has the option of shipping same at a higher rate without limitation as to value in case of loss or damage from causes which would make the carrier liable, but agrees to the specified valuation named, in case of loss or damage from causes which would make the carrier liable, because of the lower rate thereby accorded for transportation"'; provided that a schedule containing said changes is filed with the Commission as Supplement No. 2 to the serial P. S. C. number under which each such carrier has filed the Official Classification No. 33, and posted at stations at least one (1) day prior to the effective date specified therein, which effective date shall be January 1, 1909. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 736, of date December 26, 1908."

Complete by the following issues, effective January 1, 1909:

Supplement No.	Railroad	P. S. C. No.
2	N. Y. C. & H. R.	5052
2	Cooperstown & Charlotte Valley	62
2	New York, Ontario & Western	1252
2	Lehigh Valley . .	D1025
2	Boston & Albany . .	115
2	Erie (East) . .	1084
2	Delaware & Hudson	1812
	Buffalo, Attica & Arcade.	80

Supplement No.	Railroad	P. S. C. No.
2	Boston & Maine	242
1	Grand Trunk	56
2	Buffalo, Rochester & Pittsburgh.	380
2	Long Island	214
2	Staten Island Rapid Transit.	22
2	South Buffalo	12
2	Delaware & Eastern	102
2	Lehigh & New England.	27
2	West Shore	1328
2	Champlain Transportation Co.	19
2	Pennsylvania	G.O. 119
2	Delaware, Lackawanna & Western.	675
2	Buffalo & Susquehanna	129
2	Rutland	214
2	Lake Shore & Michigan Southern.	178
2	Silver Lake	66
2	Lake Champlain & Moriah.	28
2	Pittsburg, Shawmut & Northern.	139
2	Fonda, Johnstown & Gloversville.	89
2	Little Falls & Dolgeville.	99
2	New York, New Haven & Hartford.	160
2	Norwood & St. Lawrence.	15
2	New York & Ottawa.	100
2	Adirondack & St. Lawrence.	3
2	Greenwich & Johnsonville	202
2	Schoharie Valley	15
2	New York & Pennsylvania	78
2	Genesee & Wyoming	75
2	Central New England	428
2	Lehigh & Hudson River.	46
2	Baltimore & Ohio	9
2	New York, Chicago & St. Louis.	161
2	Ulster & Delaware	20
2	Hudson Navigation	84
2	South Brooklyn	14
2	Syracuse, Lake Shore & Northern.	3
2	Penn Yan, Keuka Park & Branchport.	11
2	Auburn & Syracuse Electric.	6
2	Dunkirk, Allegheny Valley & Pittsburgh.	101
2	Erie (West)	A160
2	Dansville & Mt. Morris.	32
2	Keeseville, Ausable Chasm & Lake Champlain.	6
2	Western New York & Pennsylvania Traction.	39
2	Oneonta & Mohawk Valley.	25
2	New York, Auburn & Lansing.	18
2	Unadilla Valley	10

No. 737; December 28, 1908; The New York, Chicago and St. Louis Railroad Company:

Ordered: That The New York, Chicago and St. Louis Railroad Company be and is hereby authorized to establish, as an exception to Official Classification P. S. C., 2 N. Y., No. 161, supplements thereto or superseding issues thereof, applying at Buffalo, N. Y., Buffalo Junction, N. Y., and East Buffalo, N. Y., the following regulation:

"Owners will be required to load and unload freight in carloads, except that the carriers reserve the right to load and unload at their convenience."

"Owners will be required to load and unload l. c. l. shipments of heavy or bulky freight such as can not be conveniently handled by station employees."

Provided that a tariff containing said regulation is filed with the Commission as Supplement No. 6 to P. S. C., 2 N. Y., No. 141, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be January 1, 1909. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 737, of date December 28, 1908."

Complete by Supplement No. 6 to P. S. C. No. 141, effective January 2, 1908.

No. 738; December 28, 1908; The Lake Shore and Michigan Southern Railway Company:

Ordered: That The Lake Shore and Michigan Southern Railway Company be and is hereby authorized to establish, as an exception to Official Classi-

fication P. S. C., 2 N. Y., No. 178, supplements thereto or superseding issues thereof, applying at Buffalo, N. Y., and East Buffalo, N. Y., the following regulation:

"Freight in carloads other than bulk freight, carried at carload rates, received at or delivered through this company's freight houses or over its platforms, will be loaded into or unloaded from cars by this company; also upon request of owners, this company will assist in loading or unloading such carload freight on team tracks.

"As to whether such carload traffic will be handled through this company's freight houses, over platforms, or upon team tracks, will be at the option of this company."

Also applying to all its New York state stations the following regulation:

"At points where cranes are operated by employees of this company, such cranes will be used for the loading or unloading of heavy or bulky freight, carloads or less, when destined to or received from points on or via the Lake Shore and Michigan Southern railway, without charge."

Provided that a tariff containing said regulations is filed with the Commission in Supplement to P. S. C., 2 N. Y., No. 177, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than January 2, 1909. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 738, of date December 28, 1908."

Complete by Supplement No. 2 to P. S. C. No. 177, effective January 2, 1909.

No. 739; December 28, 1908; The Long Island Railroad Company:

Ordered: That The Long Island Railroad Company be and is hereby authorized to establish rate of eight (8) cents per one hundred pounds on Oysters and Clams, in shell, less carloads, when shipped in barrels or sacks, from Hewlett, N. Y., Woodmere, N. Y., Cedarhurst, N. Y., Far Rockaway, N. Y., Hammel, N. Y., Lynbrook, N. Y., and Rockville Center, N. Y., to Pier 32, East River, New York, N. Y.; provided that a tariff containing said rate is filed with the Commission as P. S. C., 2 N. Y., No. 220, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than January 7, 1909. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 739, of date December 28, 1908."

Complete by P. S. C. No. 220, effective January 7, 1909.

No. 740; December 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on Hay and Straw, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 5052, supplements thereto or superseding issues thereof, from Victor, N. Y., the rates in cents per one hundred pounds, to New York state stations, as follows: Kast Bridge, County Home, and Middleville, 16½; Newport, 17½; Poland and Hinckley, to Malone and including intermediate stations, 18½; provided that a tariff naming said rates is filed with the Commission as Supplement No. 2 to P. S. C., 2 N. Y., No. 4100, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than January 7, 1909. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 740, of date December 28, 1908."

Complete by Supplement No. 2 to P. S. C. No. 4100, effective January 7, 1909.

No. 741; December 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on Bark, carloads, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 5052, and supplements thereto or superseding issues thereof, to Middleville, N. Y., the rates, in cents per one hundred pounds, from New York state stations, as follows: Altmar, N. Y., 7; Talcville, N. Y., and Richville, N. Y., 8; provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 5107, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than January 7, 1909. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 741, of date December 28, 1908."

Complete by P. S. C. No. 5107, effective January 6, 1909.

No. 742; December 28, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish rate of six (6) cents per one hundred pounds on Grain and Grain Products, carloads, as per list and minimum carload weights as shown in P. S. C., 2 N. Y., No. 4753, and supplements thereto or superseding issues thereof, from Ransomville, N. Y., to Union Hill, N. Y., and said rate is also to apply from and to intermediate stations in cases where it is lower than the present rate; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 5116, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than January 7, 1909. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 742, of date December 28, 1908."

Complete by P. S. C. No. 5116, effective January 6, 1909.

No. 743; December 30, 1908; The Delaware, Lackawanna and Western Railroad Company:

Ordered: That The Delaware, Lackawanna and Western Railroad Company be and is hereby authorized to establish rate of fifty (50) cents per net ton on Manure, carloads, minimum weight forty thousand (40,000) pounds, from Kanona, N. Y., to Big Flats, N. Y.; provided that a tariff naming said rate is filed with the Commission as Supplement No. 2 to P. S. C., 2 N. Y., No. 617, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than January 10, 1909. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 743, of date December 30, 1908."

Complete by Supplement No. 2 to P. S. C. No. 617, effective January 8, 1909.

No. 744; December 30, 1908; New York, Ontario and Western Railway Company:

Ordered: That the New York, Ontario and Western Railway Company be and is hereby authorized to establish on Logs, in carloads, when shipped to be sawed and reshipped, minimum carload weight forty thousand (40,000) pounds, to Apex, N. Y., the rates in cents per net ton, from New York state stations, as follows: Cadosia, 35; Fish's Eddy, 40; Hancock, 35; Tylers, 40; provided that a tariff naming said rates is filed with the Commission as

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P. S. C., 2 N. Y., No. 1265, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall be January 21, 1909. Such tariff shall be so filed and posted not later than January 18, 1909, and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 744, of date December 30, 1908."

Complete by P. S. C. No. 1265, effective January 21, 1909.

Case No. 745; December 30, 1908; The New York Central and Hudson River Railroad Company:

Ordered: That The New York Central and Hudson River Railroad Company be and is hereby authorized to establish on carload shipments of Handles, Wood, minimum weight as per Official Classification P. S. C., 2 N. Y., No. 5052, supplements thereto or superseding issues thereof, from Newton Falls, N. Y., the rates in cents per one hundred pounds to New York state stations, as follows: New York and Brooklyn stations and Long Island City float bridges (on traffic going to points beyond on the Long Island railroad), 16; Albany, Schenectady, Amsterdam, Little Falls, Rochester, 13; Syracuse, 10; Buffalo, 14; provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 5124, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall be not later than January 10, 1909. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one (1) day's notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 745, of date December 30, 1908."

Complete by P. S. C. No. 5124, effective January 9, 1909.

No. 746; December 31, 1908; West Shore Railroad (N. Y. C. & H. R. R. Co. Lessee):

Ordered: That the West Shore Railroad (The New York Central and Hudson River Railroad Company, Lessee) be and is hereby authorized to establish, in connection with the Boston and Maine railroad, rate of eighty-five (85) cents per net ton on Stone, Crushed, carloads, minimum weight marked capacity of car, but not less than forty thousand (40,000) pounds, from Pattersonville, N. Y., to Elnora, N. Y., Ushers, N. Y., Mechanicville, N. Y., Reynolds, N. Y., West Valley Falls, N. Y., and Johnsonville, N. Y., via Rotterdam Junction, N. Y.; provided that a tariff naming said rate is filed with the Commission as P. S. C., 2 N. Y., No. 1352, and posted at stations at least three (3) days prior to the effective date specified in such tariff, which effective date shall be not later than January 13, 1909. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on three (3) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. 746, of date December 31, 1908."

Complete by P. S. C. No. 1352, effective January 11, 1909.

No. E-5; January 13, 1908; Oneida Railway Company:

Ordered: That the Oneida Railway Company be and is hereby authorized to reissue its tariff P. S. C., 2 N. Y., No. 1, making the changes as shown in application; provided that a tariff making said changes shall be filed with this Commission under P. S. C., 2 N. Y., No. 3, and posted at stations at least two days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within two days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-5, of date January 13, 1908."

No. E-6; February 1, 1908; Rochester and Eastern Rapid Railway Company:

Ordered: That the Rochester and Eastern Rapid Railway Company be and is hereby authorized to establish special class "A" and "B" rates as

specified, applying on the commodities as named in application; provided that a tariff naming said rates shall be filed with this Commission under Supplement No. 1 to its tariff P. S. C., 2 N. Y., No. 2, and posted at stations at least fifteen days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-6, of date February 1, 1908."

No. E-7; February 1, 1908; Rochester and Sodus Bay Railway Company:

Ordered: That the Rochester and Sodus Bay Railway Company be and is hereby authorized to establish special class "A" and "B" rates as specified, applying on the commodities as named in application; provided that a tariff naming said rates shall be filed with this Commission under Supplement No. 1 to its tariff P. S. C., 2 N. Y., No. 1, and posted at stations at least fifteen days prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten days from the date of this order, and shall bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-7, of date February 1, 1908."

No. E-8; June 1, 1908; American Express Company:

Ordered: That the American Express Company be and is hereby authorized to establish rates as named in application to apply upon traffic between Pine Camp, N. Y., and other offices in New York state specified in the application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. A-1 No. 872, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-8, of date June 1, 1908."

No. E-9; June 4, 1908; American Express Company:

Ordered: That the American Express Company be and is hereby authorized to establish rates as named in the application to apply upon shipments between Lilly Dale, N. Y., and other offices in New York state as named in application; provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. A-1 No. 884, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-9, of date June 4, 1908."

No. E-10; June 20, 1908; International Railway Company:

Ordered: That the International Railway Company be and is hereby authorized to establish rate of thirty cents (\$0.30) per one hundred (100) pounds to apply upon shipments of the commodities specifically named in the application, and rate of forty cents (\$0.40) per one hundred (100) pounds to apply upon shipments of Fruits, Vegetables, and Garden Roots (special express train service) from Burt, N. Y., Corwin, N. Y., Newfane, N. Y., Olcott, N. Y., and Wrights, N. Y., to Buffalo, N. Y. (Elk Street Market); provided that a tariff naming said rates shall be filed with this Commission under P. S. C., 2 N. Y., No. 2, and posted at stations at least one (1) day prior to the effective date specified in such tariff. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-10, of date June 20, 1908."

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No. E-11; June 29, 1908; American Express Company:

Ordered: That the American Express Company be and is hereby authorized to establish rate of fifty-five cents (\$0.55) per crate to apply upon shipments of Berries in thirty-six (36) quart crates from Oswego, N. Y., to New York, N. Y., when moved in refrigerator cars; provided that a tariff naming said rate shall be filed with this Commission under Supplement No. 18 to New York, N. Y., P. S. C., 2 N. Y., No. 11, and Supplement No. 1 to Oswego, N. Y., P. S. C., 2 N. Y., No. 11, and posted at stations at least one (1) day prior to the effective date specified in such tariffs. Such tariffs shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-11, of date June 29, 1908."

No. E-12; August 13, 1908; Wells Fargo and Company Express:

Ordered: That the Wells Fargo and Company Express be and is hereby authorized to establish the following rule: "Fruit, in baskets with tops protected only by covering of gauze, not crated, will be accepted for shipment over the lines of this Company," to supersede and take the place of the following clause in the Official Express Classification shown on page 14, under heading "Fruit": "Fruit, in baskets with tops protected only by a covering of gauze, not crated, refuse"; provided that a tariff containing such rule is filed with this Commission and posted at stations at least one (1) day prior to the effective date specified therein. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. E-12, of date August 13, 1908."

No. E-13; September 9, 1908; United States Express Company:

Ordered: That the United States Express Company be and is hereby authorized to extend its collection and delivery limits at Syracuse, N. Y., to include the New York State Fair Grounds near Syracuse, N. Y., such extension to apply each year for a period of ten (10) days before and ten (10) days after the State Fair meeting; provided that a tariff making such extension is filed with this Commission under Supplement No. 3 to P. S. C., 2 N. Y., No. 9, page 65, and posted at offices at least one (1) day prior to the effective date to be specified as September 11, 1908. Such tariff shall be so filed and posted within one (1) day from the date of this order and bear the following notation: "Issued under special permission of the Public Service Commission, Second District, State of New York, No. E-13, of date September 9, 1908."

Complete by Supplement 3 to P. S. C. No. 9, page 65, effective September 11, 1908.

No. E-14; November 12, 1908; National Express Company:

Ordered: That the National Express Company be and is hereby authorized to establish rate of fifty cents (\$0.50) per one hundred pounds on Milk or Cream, in cans, in either direction, between Middleburgh, N. Y., and Albany, N. Y.; provided that a tariff naming said rate is filed with the Commission as Supplement No. 1 to Middleburgh, N. Y., P. S. C., 2 N. Y., No. 11, and Supplement No. 9 to Albany, N. Y., P. S. C., 2 N. Y., No. 11, and posted at stations at least one (1) day prior to the effective date specified in such tariff, which effective date shall not be later than November 18, 1908. Such tariff shall be so filed and posted within five (5) days from the date of this order and bear the following notation: "Issued on one day's notice to the public and the Commission under special permission of the Public Service Commission, Second District, State of New York, No. E-14, of date November 12, 1908."

Complete by Supplement No. 1 to Middleburgh P. S. C. No. 11, and Supplement No. 9 to Albany P. S. C. No. 11, both effective November 16, 1908.

No. E-15; December 2, 1908; Western New York and Pennsylvania Traction Company:

Ordered: That the Western New York and Pennsylvania Traction Company be and is hereby authorized to establish the following weights and charges for the transportation of express packages, in either direction, between Little Valley, N. Y., and Salamanca, N. Y.: Packages weighing less than ten (10) pounds, \$0.10; packages weighing ten (10) pounds and not exceeding fifty (50) pounds, \$0.25; packages weighing over fifty (50) pounds and not exceeding one hundred (100) pounds, \$0.40; the bulk limit of any package transported not to exceed three (3) by four (4) feet; provided that a tariff naming said rates is filed with the Commission as P. S. C., 2 N. Y., No. 38, and posted at stations at least ten (10) days prior to the effective date specified in such tariff, which effective date shall not be later than December 22, 1908. Such tariff shall be so filed and posted within ten (10) days from the date of this order and bear the following notation: "Issued on ten (10) days' notice to the public and Commission under special permission of the Public Service Commission, Second District, State of New York, No. E-15, of date December 2, 1908."

APPENDIX M.

**REPORT OF SUPERVISOR OF EQUIPMENT FOR YEAR ENDED
DECEMBER 31, 1908.**

APPENDIX M.

Albany, December 31, 1908.

HON. F. W. STEVENS, *Chairman,*

Public Service Commission, Second District:

DEAR SIR: Herewith is transmitted a detailed report of the work of your supervisor of equipment for the year ended December 31, 1908:

Tables are attached to this report giving specific data as follows:

Table A shows distribution of time.

Table B shows details of locomotive equipment inspection.

Table C shows general data relative to locomotive equipment at the time of inspection.

Table D shows condition of locomotive equipment at the time of inspection on Class A railroads.

Table E shows condition of locomotive equipment at time of inspection on Class B railroads.

Table F shows condition of locomotive equipment at the time of inspection on Class C railroads.

The various railroads inspected have been separated into three classes, A, B, and C, for purposes of comparison.

Information is also given in the attached report in the matter of accidents, investigations, time occupied, etc.

Respectfully submitted,

A. BUCHANAN, JR.,
Supervisor of Equipment.

INSPECTION OF LOCOMOTIVE EQUIPMENT AND REPAIR FACILITIES.

General inspection has been made of 1262 locomotives and 92 locomotive terminals on 19 steam railroads. There are operating in this State 60 steam railroad systems with 6000 locomotives assigned to service in this State. There are 162 locomotive terminals at which general, heavy, or running repairs are made to locomotives. I was employed 117 days making the inspection outlined and compiling the reports incident to same; 37 per cent. of my time has been given to this work. If conditions had been such that my whole time had been devoted to this work, I would have been able to have made general inspection of 3500 locomotives, or 58 per cent. of the total; I would also have been able to visit and make inspection of all locomotive terminals in the State.

General inspection of locomotive equipment and terminals was made on the following railroads: *Class A*: Buffalo, Rochester & Pittsburgh; Delaware & Hudson; Delaware, Lackawanna & Western; Erie; New York Central & Hudson River; New York, Ontario & Western; Pennsylvania. *Class B*: Central New England; Lehigh & Hudson River. *Class C*: Bath & Hammondsport; Buffalo, Attica & Arcade; Carthage & Copenhagen; Catskill Mountain; Delaware & Eastern; Fonda, Johnstown & Gloversville; Kanona & Prattsburgh; Lowville & Beaver River; Silver Lake; Skaneateles. Total, 19 railroads, operating 3634 or 61 per cent. of the locomotives assigned to service in this State.

No general inspection of locomotive equipment or terminals was made on the following railroads: *Class A*: Boston & Maine; Lake Shore & Michigan Southern; Lehigh Valley; Long Island; New York, New Haven & Hartford; Rutland. *Class B*: Boston & Albany; Buffalo & Susquehanna; New York, Chicago & St. Louis; Pittsburg, Shawmut & Northern; Ulster & Delaware. *Class C*: Adirondack & St. Lawrence; Buffalo Creek; Catskill & Tannersville; Campbell Hall; Cranberry Lake; Dansville & Mt. Morris; Dunkirk, Allegany

Valley & Pittsburgh; Genesee & Wyoming; Glenfield & Western; Grand Trunk; Greenwich & Johnsonville; Jamestown, Chautauqua & Lake Erie; Little Falls & Dolgeville; Marcellus & Otisco Lake; Middleburgh & Schoharie; New York, Auburn & Lansing; New York & Ottawa; New York & Pennsylvania; New York Central, Hudson River & Fort Orange; Niagara Junction; Norwood & St. Lawrence; Owasco River; Pochuck; Raquette Lake; Schoharie Valley; South Buffalo; Sterling Mountain; Tunesassa & Bradford; Unadilla Valley. Total, 41 railroads, operating 2366 or 39 per cent. of the locomotives assigned to service in this State.

I have been unable in many instances to make observations of a railroad after general inspection of locomotive equipment and terminals. The following have come under my personal observation after general inspection was made:

Buffalo, Rochester & Pittsburgh: The general condition, with few exceptions, at time of inspection was good; this general condition is being maintained.

Delaware & Hudson: General inspection was finished October 6, 1908. The repair facilities at a number of stations were found to be inadequate and in bad condition. The condition of locomotive equipment was generally fair, but inspection and running repairs were being neglected at a number of stations, this condition being brought about by a policy of heavy retrenchment in mechanical department expenses. Since October 15, 1908, the repair staffs and working hours have been increased, and I have been informed by engineers that better attention is being given to inspection and running repairs. In a recent conversation with the superintendent of motive power I was informed that plans were well under way for the erection of a large modern general repair shop; also for considerable improvements and additions to a number of engine houses.

Erie: General inspection was finished February 11, 1908. At that time 21 per cent. of the locomotives in service were in bad condition generally. Within the past six months I have frequently visited engine houses and have made close observation of the condition of locomotives. It is my opinion that at the present time the locomotives on this railroad are 35 per cent. more efficient than they were at the time of inspection; in addition, the general condition of all equipment is being gradually improved.

New York Central & Hudson River: General inspection was finished April 24, 1908. I have made close observation of condition of locomotives since that time and it is my opinion that on account of a policy of unreasonable retrenchment at engine houses and general repair shops, the locomotive equipment is at the present time at least 10 per cent. less efficient than it was April 24, 1908.

New York, Ontario & Western: Inspection was finished May 27, 1908. At that time 12 per cent. of the locomotives inspected had driving wheel tires in bad condition (worn $\frac{3}{8}$ in. or over); this condition has received special attention and at the present time tires on all locomotives in service are below the standard tire wear limits. The general repair shops have been working full force and an increased number of working hours, and as a result the general condition of locomotives has been perceptibly improved.

Lehigh & Hudson River: Inspection was finished May 21, 1908. The locomotives at that time were in good general condition. The repair facilities were bad and locomotives were sent to contract shops for general repairs; this year a modern general repair shop well equipped with tools has been erected at Warwick, N. Y., and the railroad is now in a position to make all classes of repairs in its own shops.

Buffalo, Attica & Arcade: Inspection was made June 3 and 4, 1908. Recommendations were made relative to running repairs and condition of equipment generally. On a recent trip over this railroad I found that all recommendations had been complied with.

Delaware & Eastern: Inspection was made May 21 and 22, 1908. Locomotives were found to be in a bad condition generally on account of the neglect of running repairs, air brakes, truck wheels, safety appliances, etc. Recommendations were made and were given prompt attention; at the present time, while the locomotives are not in good condition, they are not dangerous to operate and condition generally has been improved.

APPENDIX M: REPORT OF SUPERVISOR OF EQUIPMENT 651

Kanona & Prattsburgh: Inspection was made June 9, 1908.. Recommendations were made as to the condition of air brakes, truck wheels, and safety appliances; these recommendations have since been complied with.

To make general inspection of equipment efficient I believe that a return trip should be made within 60 days over the railroad inspected to ascertain if recommendations have been complied with. All steam railroads should have general inspection made of locomotive equipment at least once each year. To attend to this in a proper manner would require the services of two additional inspectors who are thoroughly familiar with locomotive operation and maintenance, and who could be constantly employed riding locomotives and visiting locomotive repair terminals.

INVESTIGATION OF ACCIDENTS.

Investigation has been made of 94 accidents. I was employed 61 days investigating accidents and compiling reports incident to same; 20 per cent. of my time has been given to this work. Recommendations with a view to preventing accidents of similar nature have been made after 24 investigations.

Of the accidents investigated, 55 per cent. were caused by the disobedience of standard rules or special instructions which were in force for the safe movement of trains. The following are some of the principal causes of accidents of this class: Short flags; disregard of flags and signals; disregard of train orders; disregard of general rules and instructions. Ten per cent. of the accidents investigated were caused by insufficient attention to maintenance of right of way, switches, interlocking plants, signals, etc.; and 35 per cent. were caused by improper inspection and maintenance of equipment or resulted from failure of equipment. A large percentage of accidents resulting from failure of equipment is due to broken journals (either burnt off or having structural defects); broken cast iron wheels (either from overheating from brake application or from structural defects); broken and loose tires which are not equipped with tire retaining devices. Accidents resulting from the causes outlined are attributable in many instances to: 1. Improper inspection and specifications for material purchased; this occasionally results from the desire of some managements to obtain material at a price which will not warrant a rigid specification or test. 2. Insufficient terminal inspection and a low grade of maintenance caused principally this past year by an unreasonable retrenchment in the inspection and repair staffs at engine houses, yards, and general repair shops. 3. Improper handling on the part of engine and train men resulting in burnt off journals, flat wheels, draft gear pulled out, and derailments as the result of rough handling of air brakes, etc. Recommendations with a view to preventing accidents of similar nature have been made after 24 investigations which indicated that by proper care or maintenance the prevention of a recurrence was possible. I have no personal knowledge as to whether all of these recommendations were complied with.

The following have come under my personal observation: Accidents were investigated on the Erie railroad and the New York Central & Hudson River railroad which were directly attributable to the amount of steam escaping from joints which were in bad condition, so that view of enginemen was obscured. Recommendations were made that the railroad companies maintain their locomotives in such condition that view of enginemen would not be obscured by escaping steam; the Erie Railroad Company made a systematic effort to effect an improvement in this respect, and by the purchase of new material, better inspection and maintenance, did effect a noticeable improvement; The New York Central and Hudson River Railroad Company did not improve this condition materially.

A number of derailments have occurred on the New York Central lines. These derailments were caused by loose tires which were not equipped with tire retaining device. A special investigation was made of this subject to ascertain what practice other railroads of importance were following, and it was found that fully 65 per cent. were using a retaining ring, a lip on outside of tire, or on inside of wheel center, on all new equipment or renewals. Any of these devices prevents a tire when loose from moving in, the flange of tire preventing same from moving out. It was also found that the New York

Central lines had a considerable number of locomotives equipped with the Mansell tire retaining ring. A recommendation was then made that The New York Central and Hudson River Railroad Company consider equipping all locomotives used in passenger service with tire retaining ring or other tire retaining device. This matter is now under consideration by the general mechanical superintendent of the New York Central lines.

A number of accidents have been investigated which were the direct result of the emergency application of the air brakes at some point in freight train where air brake equipment was not in proper condition. As a result of a number of visits to cripple tracks in important freight yards where air brakes on freight cars received inspection and repairs, it was decided that proper attention was not being given to this matter, and a conference was arranged for at which were present air brake experts from the Buffalo, Rochester & Pittsburgh, Delaware & Hudson, Delaware, Lackawanna & Western, Erie, New York Central & Hudson River, New York, New Haven & Hartford, New York, Ontario & Western, and Pennsylvania railroads; also representatives from the New York Air Brake Co. and the Westinghouse Air Brake Co. This air brake problem was thoroughly discussed, and I have noted a marked improvement in the matter of inspection and maintenance of air brakes in some of the freight yards which I have had opportunity to revisit.

Recommendations have been made as to the maintenance of truck wheel flanges to the prescribed Master Car Builders' standards; the maintenance of safety appliances in accordance with the Federal Safety Appliance Act; the systematic inspection and annealing of draw bars between locomotives and tenders; the systematic inspection of connecting rods and crank pins on locomotives. I have found on revisiting the localities covered in the accident investigations that the recommendations of this nature were being complied with.

Properly to keep informed on matters of this nature, the inspector investigating an accident and making a recommendation should have his time so arranged that he could revisit the locality covered in investigation within 60 days to ascertain if recommendations made had been complied with.

PASSENGER TRAIN DELAY AND ENGINE FAILURE REPORTS.

I was employed 55 days compiling data and reports and attending to correspondence incident to train movement and engine failure reports; 18 per cent. of my time has been given to this work.

Passenger Train Delay Reports: The first report of passenger train delays was filed for the month of April, 1908; as the reports are not completely filed until 30 days after the expiration of the month, information for the first month was not available until June, 1908. Reports have been received complete and published for seven months. Analysis of the reported causes of delays indicates that the principal causes of delays were as follows: engine failures caused 7 per cent. of delays; wrecks, 6 per cent.; unfavorable track conditions, 3 per cent.; waiting for trains from other divisions, 39 per cent.; waiting for train connections from other railroads, 11 per cent.; train work at station, 15 per cent.

The results accomplished by passenger train delay reports are: Several steam railroads prior to April 1, 1908, did not have any accessible record of passenger train delays which could be used for comparison. With the compiling of the present form of passenger train delay reports, all steam railroads, with the exception of a few exemptions, have a record which enables them readily to make a comparison of reliability of service with previous months; the result is that railroad officials who are in any way responsible for the movement of passenger trains are comparing monthly records with previous periods and are endeavoring to have passenger train movements each month at least as efficient as previous months; I have noted on some of the larger railroads a spirit of competition between divisions and with other railroads, no operating official wishing to have the poorest record. I have noted particularly an improvement in the passenger train service on the Boston & Albany railroad; Harlem, Putman, and Buffalo divisions of the New York Central & Hudson River railroad; Central New England railway; New York,

APPENDIX M: REPORT OF SUPERVISOR OF EQUIPMENT 653

Buffalo, and Rochester divisions of the Erie railroad; New York, Chicago & St. Louis railroad; Southern division of the New York, Ontario & Western railway; Delaware & Eastern railroad; Buffalo, Attica & Arcade railroad, and the Buffalo division of the Pennsylvania railroad. I am of the opinion that the compulsory keeping of records of comparison and publicity relative to train delay reports has had the effect of improving the running time of passenger trains generally.

A thoroughly satisfactory comparison of results can not be obtained until reports for one year have been filed, on account of the wide variation in traffic and weather conditions throughout the year. The present passenger train delay report, form No. 83, requires some revision in order that its usefulness may be improved. The records on file in this office give quickly general train conditions for seven months and are valuable for reference. I believe that the time limit on this report should be reduced from 30 to 15 days; I have found that it is possible on some railroads to get a complete record of train delays within five days after the expiration of the month.

Engine Failure Reports: The first report of engine failures was filed for the month of January, 1908. As the reports are not completely filed until 30 days after the expiration of the month, information for the first month was not available until March, 1908. Reports have been received complete for ten months. Analysis of these reports indicates that each month 10,000,000 engine miles are run; approximately 1800 engine failures occur, creating a delay to all classes of service of 1920 hours, or an average delay per failure of 1 hour and 4 minutes; low steam pressure causes 10 per cent. of all failures; leaking steam connections, 18 per cent.

The results accomplished by engine failure reports are: 1. The majority of steam railroads prior to January 1, 1908, kept no record of engine failures, and a number of railroads which did have a record had it in such condition that it was not readily accessible; the result was that in many instances an epidemic of a particular class of engine failures was occurring before any mechanical department official began to apply a remedy. With the introduction of the present reports the matter of engine failures is kept constantly in mind; the general managers have information in a comparative form which they did not in all instances previously have; the result is that from the general manager down to engine house foreman, there is an effort being made to eliminate unnecessary failures. 2. With the present compulsory reports, the mechanical superintendent endeavors to locate individual responsibility for each failure. 3. All engine failures are investigated and it is ascertained if failure resulted from improper design, inferior material, or poor workmanship; and when the cause is ascertained an improvement is effected. 4. A comparison of the reports for several months indicates that considerable improvement has been effected on the Erie railroad, Boston & Albany railroad, Lake Shore & Michigan Southern railroad, Pennsylvania railroad, and the Delaware & Eastern railroad. 5. After careful inquiry and observation I am of the opinion that on account of the compulsory filing of records of engine failure reports, considerable effort is being made by mechanical department officials to improve the general condition of locomotives; this attempt in the last year has been made under very adverse conditions, caused by inadequate repair facilities and the policy of retrenchment which has been in force on many railroads.

A thoroughly satisfactory comparison of results can not be obtained until reports for one year have been filed. This is on account of the wide variation in traffic and weather conditions throughout the year. The present engine failure report, form No. 70, requires some revision in order that its usefulness may be improved. The records of engine failures on file in this office give quickly general condition of locomotives for ten months; and on all railroads the data given on engine failure reports reflect fairly accurately the general condition of locomotives.

RECOMMENDATIONS AND SUGGESTIONS FOR THE WORK OF THE ENSUING YEAR.*Equipment Inspection.*

Inspection of 21 per cent. of the equipment and 57 per cent. of the terminals occupied 117 days or 37 per cent. of my time.

Suggestions: 1. To make inspection effective, all locomotive equipment and terminals should be inspected at least once each year. 2. The inspection staff should be of sufficient size so that it would be possible for an inspector to return to the railroad within 60 days after general inspection had been made to ascertain if recommendations and orders had been complied with. 3. The most serious condition this next winter will arise from escaping steam obscuring the view of enginemen and making operation dangerous; this condition will require considerable supervision and the services of competent inspectors whose duties would consist entirely of riding locomotives and making inspection of locomotives at terminals of railroads which are known to be careless in this respect, with the view of forcing these railroads to improve this condition.

Recommendations: 1. Arrangements should be made so that inspectors of this Commission upon presentation of authority and proper transportation, would be authorized to ride on locomotives of all trains and on cabooses of freight trains without the formality of consulting railroad officials before necessary authority is obtained. 2. Two mechanical inspectors should be appointed so that the suggestions relative to equipment inspection can be made effective at an early date. These inspectors should be men with a thorough, practical knowledge of locomotive operation and maintenance. They should be as nearly as possible employed entirely on road duties in localities where locomotives are known to be in defective condition generally. 3. Inspectors of equipment should have authority to order equipment taken from service when same is in such defective condition as to make it unsafe to operate.

Safety Appliances.

Suggestions: The maintenance of present safety appliances and the providing of additional safeguards should be made a subject for special investigation by the supervisor of equipment and inspectors. 1. Equipping of all passenger cars with safety coupling chains. 2. Proper clearance between ends of box cars so that trainmen can safely pass between bodies. I find in a number of instances that this distance is being seriously restricted by the use of truss rods for the purpose of strengthening ends of bodies. 3. Tire retaining devices on locomotives used in passenger service. 4. Equipping of passenger cars with fire extinguishers.

Ventilation and Heating of Passenger Cars.

This is a subject over which there is much discussion by the patrons of all railroads and mechanical men generally. The condition is conceded to be generally unsatisfactory. This condition is brought about by poor appliances; improper or unenforced rules; bad judgment on the part of trainmen.

Suggestions: 1. There is room for considerable improvement in this respect; I believe that considerable attention should be given to this question. 2. Railroads should attempt to develop the regulation of heat and ventilation automatically on some plan similar to that which is used in large office buildings or auditoriums.

Sanitary and Clean Condition of Passenger Cars.

Suggestions: 1. There is room for large improvement in this respect. 2. The methods in vogue on many railroads are very crude. 3. Cars should be thoroughly cleaned and disinfected and maintained in a sanitary condition. 4. Cleanliness of iced-water tanks and the methods of handling ice and water should be materially improved; the tanks should be constructed so that covers can be locked, preventing indiscriminate access to interiors. 5. When towels are furnished, they should be in sufficient number; otherwise eliminated entirely.

APPENDIX M: REPORT OF SUPERVISOR OF EQUIPMENT 655

Conclusion.

If the inspectors recommended are appointed, it will be possible in the year 1909 to make inspection of all locomotive equipment and terminals; also to give attention to the subjects suggested. The train movement and engine failure reports require close analysis to be of the greatest value; with the appointment of a clerk for this purpose the statistical department will be entirely relieved of the tabulation of these reports and a more complete analysis be possible.

Respectfully submitted,

A. BUCHANAN, JR.,

Supervisor of Equipment.

TABLE A.

Distribution of Time January 1, 1908, to December 31, 1908:

Nature of Employment.	Number Employed.	Percentage of Days Employed.
Inspection of 1262 locomotives and 92 locomotive terminals	101	32
Compiling reports of inspection of locomotives and locomotive terminals	16	5
Investigation of 94 accidents	50	16
Compiling reports of investigations of accidents	11	4
Investigation of 16 complaints	24	8
Compiling reports of investigations of complaints	6	2
Compiling data, reports, and attending to correspondence incident to train movement and engine failure reports	55	18
Investigation of 8 special subjects	27	9
Compiling reports of investigations of special subjects	7	2
Attending 7 hearings, conferences, etc.	13	4
 Total	 310	 100

TABLE B.

Details of Equipment Inspection January 1, 1908, to December 31, 1908:

Nature.	Number.	Percentage.
Steam railroad systems operating in State	60	100
Steam railroad systems on which general inspection of locomotive equipment was made	19	32
Locomotive terminals in State	162	100
Locomotive terminals at which general inspection was made	92	57
Locomotives assigned to service in State	6000	100
Locomotives which have received general inspection	1262	21

TABLE C.

Condition of Locomotive Equipment at the Time of Inspection, December 31, 1908:

General Data.	Number.	Percentage.
Locomotives assigned to service in State	6000	100
Locomotives assigned to service in State, in service and available for service, inspected	1262	21
 Data Relative to Railroads Inspected:		
Locomotives assigned to service in State on railroads on which general inspection was made	3634	100
Locomotives assigned to service in State and available for service, inspected	1262	35
Locomotives in shop under repairs and awaiting shop	391	11
Locomotives in service and available for service	3243	89

TABLE D.

Nature of Defects.	CLASS A RAILROADS INSPECTED.							
	Buffalo, Rochester & Pittsburgh.	Delaware & Hudson.	Delaware, Lackawanna & Western.	Erie.	New York Central & Hudson River.	New York, Ontario & Hudson River.	Pennsylvania.	Total.
NUMBER OF DEFECTS:								
Number of locomotives assigned to service in State.....	No. 114 % 100	324 100	247 100	540 100	1,974 100	170 100	148 100	3,517 ■ 100
Number of locomotives in shop and awaiting shop.....	No. 24 % 21	26 8	22 9	76 14	179 9	26 15	20 13	373 11
Number of locomotives in service and available for service.....	No. 90 % 79	298 92	225 91	464 86	1,795 91	148 85	128 87	3,144 91
Number of locomotives inspected.....	No. 69 % 60	204 63	128 52	190 41	419 22	66 39	106 71	1,182 34
NUMBER AND PERCENTAGE OF DEFECTS:								
Machinery in general bad condition.....	No. 3 % 4	18 9	3 2	38 20	91 22	12 18	10 9	175 15
Boilers, flues, and fire-boxes leaking.....	No. 4 % 5	11 5	5 4	62 32	129 31	16 24	13 12	240 ■ 20
Foundation rings leaking.....	No. 7 % 8	6 3	13 10	30 16	153 36	10 15	17 16	236 ■ 20
Air brakes defective.....	No. 0 % 0	16 8	1 .8	10 5	44 10	6 9	5 5	72 6
Safety appliances defective.....	No. 0 % 0	0 0	0 0	8 4	23 5	3 4	0 0	34 3
Tender trucks defective.....	No. 0 % 0	6 3	1 .8	9 4.5	87 21	5 8	3 3	111 ■ 9
Boiler mountings in cabs leaking.....	No. 2 % 3	16 7	4 3	15 8	43 10	4 6	12 11	97 ■ 8
Boiler mountings outside of cabs leaking.....	No. 14 % 20	34 17	20 15	119 63	229 55	16 24	22 20	454 ■ 38
Metallic packing leaking.....	No. 5 % 7	28 14	17 13	112 59	145 35	15 22	15 14	337 28
Tires in bad condition (worn $\frac{1}{2}$ in. or over).....	No. 0 % 0	0 0	0 0	14 7	15 4	8 12	1 1	28 3

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TABLE E.

Nature of Defects.	CLASS B RAILROADS INSPECTED.		
	Central New England.	Lehigh & Hudson River.	Total
Number of locomotives assigned to service in State.	No. 54 % 100	32 100	86
Number of locomotives in shop and awaiting shop..	No. 10 %	5 16	15
Number of locomotives in service and available for service.....	No. 44 % 82	27 84	71
Number of locomotives inspected.....	No. 39 %	23 72	62
			72
NUMBER AND PERCENTAGE OF DEFECTS:			
Machinery in general bad condition.....	No. 7 %	2 8	9
Boilers, flues, and fire-boxes leaking.....	No. 10 %	3 26	14
Foundation rings leaking.....	No. 6 %	0 15	13
Air brakes defective.....	No. 1 %	0 2	2
Safety appliances defective.....	No. 3 %	0 8	3
Tender trucks defective.....	No. 4 %	0 10	4
Boiler mountings in cabs leaking.....	No. 6 %	3 15	6
Boiler mountings outside of cabs leaking.....	No. 13 %	5 33	14
Metallic packing leaking.....	No. 14 %	6 36	18
Tires in bad condition (worn $\frac{1}{4}$ in. or over).....	No. 5 %	0 13	29
			32
			5
			8

TABLE F.

Nature of Defects.	CLASS C RAILROADS INSPECTED.										Total.
	Bath & Hammondsport.	Buffalo, Attica & Arcade.	Carthage & Copenhagen.	Catkill Mountain.	Delaware & Eastern.	Fonda, Johnstown & Gloversville.	Kanona & Prattsburgh.	Lowville & Beaver River.	Silver Lake.	Shawnteles.	
Number of locomotives operated in State.....	No. 2 % 100	3 100	1 100	4 100	5 100	8 100	1 100	2 100	2 100	3 100	31 100
Number of locomotives in shop and awaiting shop.....	No. 1 % 50	1 33	0 0	0 0	0 0	1 12	0 0	0 0	0 0	0 0	3 10
Number of locomotives in service and available for service.....	No. 1 % 50	2 66	1 100	4 100	5 100	7 88	1 100	2 100	2 100	3 100	28 90
Number of locomotives inspected..	No. 2 % 100	3 100	1 100	4 100	5 100	8 100	1 100	2 100	2 100	3 100	31 100
NUMBER AND PERCENTAGE OF DEFECTS:											
Machinery in general bad condition.....	No. 0 %	1 0	1 33	1 100	0 0	3 60	1 12	0 0	0 0	0 0	0 20
Boilers, flues, and fire-boxes leaking.....	No. 1 %	0 50	1 0	0 100	1 0	1 20	0 0	0 0	1 0	1 50	4 13
Foundation rings leaking.....	No. 0 %	2 66	0 0	0 20	1 0	0 0	0 0	0 0	0 0	0 10	3 10
Air brakes defective.....	No. 0 %	1 33	1 100	1 0	5 40	0 0	1 100	0 0	50 100	0 100	9 29
Safety appliances defective.....	No. 0 %	0 0	0 0	0 0	4 80	0 0	0 0	0 0	2 100	0 100	3 29
Tender trucks defective.....	No. 1 %	1 50	1 33	1 100	0 0	2 40	0 0	1 100	1 50	0 0	1 33
Boiler mountings in cabs leaking.....	No. 1 %	0 50	0 0	0 0	0 20	1 0	0 0	0 0	1 50	0 0	0 10
Boiler mountings outside of cabs leaking.....	No. 0 %	1 33	0 0	0 80	4 0	0 0	0 0	0 0	0 0	0 0	5 19
Metallic packing leaking.....	No. 1 %	1 50	1 33	1 100	0 0	4 80	0 0	1 100	0 0	1 50	0 29
Tires in bad condition (worn $\frac{1}{2}$ in. or over).....	No. 0 %	1 0	1 33	1 100	0 0	2 40	0 0	0 0	1 0	1 50	6 20

APPENDIX N.

**REPORTS OF INSPECTOR OF ELECTRIC RAILROADS FOR YEAR
ENDED DECEMBER 31, 1908.**

APPENDIX N.

AUBURN AND NORTHERN ELECTRIC RAILROAD.

Public Service Commission, Second District:

GENTLEMEN: August 11, 1908, I made an inspection of the Auburn & Northern Electric railroad, and submit:

This railroad, which is single track, extends from a connection with the Rochester, Syracuse & Eastern railroad in the village of Port Byron, Cayuga county, to State and Seymour streets in the city of Auburn, a distance of 7.6 miles. This track is located as follows: In the village of Port Byron, 0.27 mile; on private right of way, 6.23 miles; in the city of Auburn, 1.1 miles. The maximum grade on the road is $4\frac{1}{2}$ per cent. for 500 feet in the village of Port Byron.

On the line there is one crossing of railroad which is at grade, on State street in the city of Auburn, where a branch of the Lehigh Valley railroad which extends from Auburn to Fair Haven is crossed; there is a flagman located at this crossing.

There are no bridges on the line except one overhead highway bridge near Throopsville station, of a through riveted span 66 ft. long supported on reinforced concrete piers with I-beam approaches; clearance above track, 19 ft. There are several small culverts on the line, all of which are built of concrete and in box form. The maximum length of opening is 6 ft.

The track is constructed of 70-lb. T-rail on private right of way, and 90-lb. in village and city streets, continuous rail joints, southern pine ties spaced 2 ft. centers, gravel ballast 6 in. under ties on private right of way, and stone ballast in village and city streets.

The right of way averages 160 ft. in width and is fenced with a woven wire fence on cedar posts.

The line is equipped with an automatic block signal system.

There are 5 flag stops between Port Byron and Auburn city line, one located at Throop at which point there is a shelter station lighted, heated, and provided with signal for use of passengers in flagging cars. There is a station building at Port Byron used jointly by this company and the Rochester, Syracuse & Eastern Railroad Company.

A local service is operated over this road between Port Byron and the city of Auburn. A through service is also operated over the road, cars of the Rochester, Syracuse & Eastern Railway Company running from Rochester to Auburn, and over this road from Port Byron to Auburn. No opposing cars are on the road at any time except in cases of unusually heavy traffic. This road is operated by the management of the Rochester, Syracuse & Eastern railroad and was open for operation June 28, 1908.

The track force consists of 8 men and a foreman.

This company owns two gravel pits, one at Port Byron and one at Throop.

The track and roadbed on this railroad are in good condition.

The element of safety in the operation of this road would be increased by the adoption of the following recommendations:

Recommendations: That the grade crossing of the Lehigh Valley tracks on State street in the city of Auburn be equipped with derails in the electric track, one on either side of the crossing, and a metal trough on the trolley wire extending over the crossing; all highway crossings outside of village and city limits should be equipped with crossing-signs.

Respectfully submitted,

C. R. BARNES,

Electric Railroad Inspector.

BUFFALO AND DEPEW RAILROAD.

To the Public Service Commission, Second District:

GENTLEMEN: October 29th I made an inspection of the Buffalo & Depew railway and submit:

This system extends from Genesee street at the city line of the city of Buffalo to the corner of Burlington and Ellicott roads in the village of Depew, a distance of $7\frac{1}{2}$ miles. It has double track, located on streets and highways, except $1\frac{1}{2}$ miles on private right of way. It is located in the towns of Cheektowaga and Lancaster, Erie county. The maximum grade on the line is 5 per cent. on the approach to an overcrossing of the West Shore railroad tracks.

The track is constructed of 65-lb. T-rail on the private right of way and 70-lb. girder rail in the village of Depew. Both rails are 6 in. high. The joints are 6 bolt angle iron, ties chestnut, 6-in. face laid 2 ft. centers.

On the line, there are one over- and one undergrade crossing of steam railroad tracks.

On the Boulevard the track of this road is constructed under the Tonawanda branch of the Lehigh Valley railroad. At this point the double tracks of the steam road are carried over the Boulevard on a plate girder bridge with an 80-ft. span resting on mason work abutments, 13 ft., 9 in. headroom. This structure is in good condition. On private right of way near the village of Depew the track of this line is constructed over the tracks of the West Shore railroad on a through bridge 122 ft. long resting on steel piers. This bridge is on a skew, with 22-ft. headroom. The east approach to the bridge consists of 26 bents of trestle work, 14-ft. centers, constructed of 4 12 x 12 in. uprights with batter posts, 12-in. caps and sills, sills resting on mason work foundation, stringer plates, 2 6 x 12 in. under each rail; all timber in trestle Georgia pine. Ties on bridge are sawed oak 6-in. face, laid 16-in. centers. The bridge is equipped with 6 x 7 in. oak guard stringer timbers and guard rails. The west approach to the bridge consists of 34 trestle bents, same construction as the east one. Both approaches are on a tangent and on a 5 per cent. grade ascending to the bridge. This bridge and trestle approaches are in fair condition. Near the Buffalo terminus of the line there is a structure over a waterway, with a 22-ft. span constructed of 10-in. I-beams under each rail on mason work abutments, all in good condition. In addition to the above, there are several small structures over waterways, the maximum length being 12 ft. All of these are constructed with wooden stringers and are in good condition.

There are no grade crossings of steam railroad tracks on this railroad.

During the past year, 650 new ties have been put in the track. The track has been raised in several places and a large amount of it has been ballasted, surfaced, and aligned. This has been done by using the cinder ballast from the power house. Snow fences have been constructed for winter use. Crossing-signs have been placed at highway crossings.

The company owns 5 cars, all closed, vestibuled, 38 ft. over all, equipped with 2 G. E. 57 motors, double trucks, single chain hand brakes, sand boxes, electric headlights, and electric heaters; wheels are 33-in., $2\frac{1}{4}$ -in. tread.

The car barn and power house are both under one roof. This is a one-story brick building, 150 by 120 ft. located on Depew boulevard in the village of Depew. The boiler room, which is separated from the power house by a fire-wall, is equipped with 4 tubular boilers, 150 hp. each. The power house equipment consists of 2 McEwen 325 hp. engines working at 150 revolutions, belted to 2 550-volt rotary converters. The car barn is equipped with 4 tracks, with pits under one, and has a storage capacity of 12 cars.

Cars are inspected daily. Light repairs are made in the car barn.

Cars on this road are operated on one-half hour headway on week days, and 20-minute headway on Sundays. The running time is 25 minutes. There is no freight or express business done, and no mail is carried on the route.

The track and roadbed of this line are in fair condition and safe for the traffic which passes over it. The company has sufficient cars to meet the requirements of traffic conditions, except in special cases of heavy travel;

APPENDIX N: INSPECTION OF ELECTRIC RAILROADS 663

it has sufficient power available for maximum requirements of operation. Car barn has sufficient storage capacity to accommodate all cars owned by the company.

There are no conditions at present existing on this railroad affecting the safety, convenience, or comfort of passengers, which require action on the part of this Commission.

Respectfully submitted,
C. R. Barnes,
Electric Railroad Inspector.

BUFFALO AND LAKE ERIE TRACTION.

To the Public Service Commission, Second District:

GENTLEMEN: October 20th, 21st, 22nd, 27th, and 28th I made an inspection of the Buffalo & Lake Erie Traction Company's system and submit:

The main line of this system extends from the city line of the city of Buffalo on the Hamburg turnpike to the city of Erie, Pa. A double-track branch extends through the Ridge road in the town of West Seneca from the Abbott road to the turnpike. Another branch extends from the Ridge road to the village of Hamburg. The system also includes the city lines of the city of Dunkirk. The length of these different lines and the mileage of single and double track are as follows: Main line, single track, 88.48 miles; main line single track, in State of New York, 67.96 miles; track through the Ridge road, single track, 2.45 miles; Ridge road to the village of Hamburg, 7.51 miles; Dunkirk City line, single track, 9.2 miles; total miles of road in the State of New York, 87.11 miles; total miles of road, single track, in other States, 20.52 miles; total miles of road in whole system, 107.63 miles; second track in the State of New York, main line, 10.55 miles; second track in the city of Dunkirk, 4.1 miles; second track Ridge road, 2.45 miles; total miles of second track, 17.1 miles; total miles of single track in the State of New York, 124.73 miles; total miles of single track on the whole system, 145.25 miles. Of the above, 37.98 miles of road are located on private right of way and 49.13 miles on streets and highways.

The city lines in the city of Dunkirk are constructed as follows: Extending from a loop at Point Gratiot park through Light street a distance of 5171 ft., through Front street to Roberts road a distance of 6694 ft., through Lake road from Roberts road to the city line 5512 ft., through Lion street from Front to Third street a distance of 843 ft., through Bass street from Front to Fifth street a distance of 2189 ft., through Fifth street from Bass street to Dove street a distance of 938 ft., through Dove street from Fifth to Sixth streets 644 ft., through Sixth street from Dove street to Central avenue 1235 ft., through Central avenue from city line to Fourth street 9654 ft., through Fourth street from Central avenue to Lion street 1681 ft., through Lion street from the Lake Shore railroad tracks to private right of way 3770 ft., on private right of way to Doughty and Lamphere streets 1816 ft., through Doughty street from Lamphere street to Roberts road 3076 ft., through Roberts road from Doughty street to the Pennsylvania railroad tracks 535 ft., through Railroad avenue from Doughty street to private right of way 2145 ft., on Seventh street from Central avenue to Lion street 1759 ft.; making a total of 9.02 miles of road in the city limits of Dunkirk. In addition to the single track in Dunkirk, there are 21.701 ft. of second track which extends through Central avenue, Fourth street, Lion street, a portion of Doughty street, Front street, and Lake road.

In the village of Fredonia there is a branch extending from the main line, constructed through Main street from Park street to White street 931 ft.

The road is located through different towns and cities in the State of New York as follows: West Seneca, Erie county, 6.86 miles; Hamburg, 15 miles; Evans, 8.82 miles; Brant, 3.78 miles; total, Erie county, 33.46 miles; Hanover; Chautauqua county, 5.28 miles; Sheridan, 6.97 miles; Dunkirk, 4.60 miles; Pomfret, 6.21 miles; Portland, 6.97 miles; Westfield, 6.70 miles; Ripley, 7.57 miles; Dunkirk, 9.02 miles; making a total in the county of Chautauqua of 53.32 miles.

Through the Ridge road from the Abbott road to South Park avenue, a distance of 5420 ft., there is one track of 7-in. girder rail laid in 1907, and a second track of 80-lb. T-rail laid in the same year; substructure is broken stone and slag ballast. From South Park avenue to the Hamburg turnpike, a distance of 7392 ft., the tracks are constructed of T-rail varying from 56 to 80 pounds. This track has been laid more than 5 years. The track from the Ridge road to the village of Hamburg is constructed of T-rail varying in weight from 56 to 80 pounds. It has been laid more than 5 years. The ballast is slag and cinders. The original ties were chestnut and cedar. The construction in the city of Dunkirk is 7-in., 80-lb. T-rail laid in 1907. All of the track constructed in paved streets has a concrete base. The other portions are broken stone, slag, and gravel. The extension through Main street in the village of Fredonia is constructed of 7-in., 80-lb. T-rail, 300 ft. of which is concrete foundation and the balance macadamized base. The main line from the Buffalo city line to the city of Dunkirk is constructed of 80-lb. T-rail, slag ballast, white oak ties, continuous rail joints, except in the village of Silver Creek where the track is constructed of concrete foundation and 7-in. T-rail. From the south city line of Dunkirk and through the village of Fredonia to Brocton the track is constructed of 70-lb. T-rail, 6 bolt splice bars, oak ties on gravel ballast. Through the village of Brocton the track is of 6-in. girder rail laid on oak ties, with crushed stone ballast. From the village of Brocton to Westfield the track is constructed of 80-lb. T-rail, slag ballast, white oak ties, with continuous rail joints. From Westfield to the state line the track is constructed of 60-lb. T-rail, 4 bolt angle bars, a variety of ties, and gravel ballast.

On the main line new construction, outside of the cities and villages, the maximum grade is 3.8 per cent. near the village of Silver Creek, which extends for 3500 ft. On the old construction between Westfield and the city line of Dunkirk the road conforms to the surface of the highway and on it there are several grades none of which are excessive except on the approach to a structure extending over the Lake Shore and Nickel Plate railroads near Forsyth, the maximum of which is about 5 per cent. There are no excessive grades on the track through the Ridge road, nor on the track between the Ridge road and Hamburg, the maximum one on the latter being 4 per cent. for 600 ft. In the city of Dunkirk the track is constructed under the Pennsylvania, New York, Chicago & St. Louis, and Dunkirk, Allegheny Valley & Pittsburgh railroads, and on this section there is a maximum grade of 2 per cent. for 900 ft. The maximum grade on the city lines in the city of Dunkirk is on Bass street, 6 per cent. for 800 ft.

On the main line there are 16 crossings of steam railroad tracks, 3 of which are over, 10 under, and 3 at grade.

There are 79 highway crossings, 77 of which are at grade, 2 over.

On the main line there are 20 structures over 15 ft. in length, 16 of which are over waterways, 1 over highway, and 3 over steam railroads.

The viaduct over the Lake Shore & Michigan Southern, Erie, Pennsylvania, and Nickel Plate railroads on the Ridge road is 850 ft. long, Pratt truss spans from 120 to 165 ft. in length, abutments concrete and stone, constructed at different dates, last construction in 1908; at Smoke's creek there is a plate girder bridge 40 ft. long on timber foundations, constructed in 1906; over Rush creek, I-beams 24 ft. long on concrete abutments, constructed in 1907; over Dry Run, I-beams 18 ft. long on concrete abutments, constructed in 1907; over Wanakah highway, I-beam construction 22 ft. long on concrete foundation, constructed in 1907; over Eighteen-Mile creek, steel trestle 540 ft. long on concrete foundations, constructed in 1907; over Big Sister creek, Pratt truss 120 ft. long on concrete abutments, constructed in 1905; over Cattaraugus creek, Pratt truss 650 ft. long on concrete abutments, constructed in 1908; over Dead creek, triangular pony truss 300 ft. long on concrete abutments, constructed in 1908; over Silver creek, plate girder 245 ft. long on concrete abutments, constructed in 1908; over Walnut creek, reinforced concrete arch 80 ft. long, constructed in 1907; over Scott's creek, reinforced concrete arch 20 ft. long, constructed in 1908; over Lake Shore & Michigan Southern tracks, timber trestle 80 ft. long, no record of date of

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construction; over Canadaway creek, deck girder bridge 60 ft. long, on mason work abutments, no record of date of construction; over Dry Run, I-beam 20 ft. long on concrete abutments, constructed in 1906; over Pennsylvania railroad, Portland-Westfield steel trestle 123 ft. long on concrete piers, constructed in 1908; over Chautauqua creek, steel trestles, one 210 ft. long, another 1400 ft. long, on concrete foundations, constructed in 1908.

In the city of Dunkirk on this system there are three grade crossings of steam railroad tracks. On Front street the single track of this road crosses at grade two switch tracks of the Erie railroad. This is a right angle cut crossing in good condition. The steam tracks are on a curve and extend from the main line of the Erie railroad to the freight house near the lake front. The electric tracks are on a tangent and level. A good view of this crossing can be had from either side of it. Only switch movements are made on the steam tracks. There is no protection at this crossing. It should be equipped with a metal trough on the trolley wire extending over the crossing. Two hundred feet west of the above crossing the single track of this road crosses four tracks of the Erie railroad. This crossing is located at the freight house. It is a cut crossing, the special work in fair condition. The steam tracks are on a tangent as are also the electric tracks. On the east side of the crossing a fair view of the steam tracks can be had. The view is obstructed on the west side of the crossing. Only switch movements are made on the steam track. There is no protection at this point. There should be a metal trough placed on the trolley wire extending over the crossing. All of the excursion travel to and from the park passes over these two crossings. Cars come to a stop and conductors flag over the crossing.

On Central avenue the single track of this road crosses one main track of the Nickel Plate and one switch track of the Pennsylvania railroad. This is special work, cut crossing in fair condition. The crossing is near the depot of both steam roads. The company has on hand derails which it expects to place in its tracks on either side of the crossing, in the near future.

There are on the system the following cities and incorporated villages:

West Seneca, with a population of 15,000; Angola, 1000; Farnham, 800; Silver Creek, 2500; Dunkirk, 20,000; Fredonia, 5500; Brocton, 1200; Westfield, 3500; Ripley, 900; North East, 2500. In addition to the above, there are the following villages and hamlets, with their estimated population: Woodlawn, 200; Bay View, 50; Athol Springs, 100; Hamburg-on-the-Lake, 25; Wanakah, 100; Weyer, 50; Lake View, 400; North Evans, 250; Derby, 200; Irving, 350; West Irving, 100; Sheridan Center, 350; Lamberton, 100; Portland, 200; West Portland, 50; Town Line, 50; Forsyth, 100; State Line, 150; Stinsons, 50; Orchard Beach, 100; Mooreheadville, 200; Harbor Creek, 150; Wesleyville, 500.

The company has a contract with the Niagara, Lockport & Ontario Power Company by the terms of which a sufficient and reliable amount of power will be available. This power is delivered to sub-stations as follows: Athol Springs, Angola, Silver Creek, Dunkirk, and West Portland. The power company has a transmission line extending from its main line in the township of West Seneca, to Athol Springs, a distance of about two miles. This line is located on private right of way from Athol Springs. The railroad company has a transmission line to the West Portland sub-station, a distance of about 50 miles. This line is located on the company's right of way, in no case being located through village streets. At present there are no duplicate transmission lines on either the section owned by the power company or that of the railroad company.

At Athol Springs, which is about 5 miles west of the Buffalo city line, the company has a sub-station which is a brick building 86 ft., 3 in., by 43 ft., 6 in., equipped with 2 500 kw. rotary converters. At Angola, 13½ miles west of Athol Springs, there is a transformer station, a brick building 53 ft., 8 in., by 36 ft., 4 in., equipped with 1 500 kw. rotary converter. At Silver Creek, about 10½ miles west of Angola sub-station, there is a sub-station, a brick building 45 ft. by 36 ft., 8 in., equipped with one unit, 500 kw. In the city of Dunkirk, about 11½ miles west of Silver Creek, there is a sub-station, a brick building 45 ft. by 37 ft., 8 in., equipped with 2 rotary converters, 500

kw. each. Also at West Portland, about 15 miles west of Dunkirk, a transformer station, a brick building 45 ft. by 38 ft., 8 in., equipped with 1 rotary 500 kw. The sub-stations at Athol Springs, Angola, Silver Creek, and West Portland are arranged for an additional transformer unit.

At present the company is operating 4 power houses located as follows: Fredonia, Ripley, Harbor Creek, Erie, the two latter being in the State of Pennsylvania. At Fredonia the power house consists of a brick building 162 ft. by 118 ft., 6 in., with 2 engines, one 200 hp. and the other about 300 hp.; 4 boilers; 2 generators used for railway purposes, both 200 kw.; also 2 engines 85 and 75 hp. connected to 2 50 kw. alternators; and 1 20 kw. direct current generator for light and power. Coal is carted. The power house at Ripley is a brick building 60 ft. by 70 ft., equipped with two engines, one 450 hp. and the other 175 hp.; one generator 400 kw. and the other 125 kw. Coal for this power house is received by rail and dumped into bins.

The company owns four car barns: one at Blasdell, one at Fredonia, one at Harbor Creek, and one at Erie; the two latter being in the State of Pennsylvania. The car barn at Blasdell consists of three frame buildings, one 200 ft. by 180 ft., one 110 ft. by 36 ft., and one 26 ft. by 36 ft. This barn is at present in course of construction and is of a temporary character, replacing one which was destroyed by fire. Its use will be discontinued as soon as new barns and shops are located and built to take care of the equipment of the easterly end of the road. At present there are six tracks under cover with a combined storage capacity sufficient to house all of the cars used on the eastern division of the company's system. There are pits under two tracks. There is a sand drier in the barn. The car barn at Fredonia is a brick building 34 ft., 4 in., by 118 ft., 6 in., equipped with three tracks, with a storage capacity of 9 cars. There is a pit under one track running the whole length of the barn, heated by steam. There is a sand drier in this barn. When the equipment in connection with the transformer stations is completed, the power house at Fredonia will be abandoned and the site now occupied by it utilized for the construction of an enlarged car barn. This barn, being located near the center of the main line division, will be used as an inspection shop for all of the main line cars. At present all of the cars run on the city lines in Dunkirk and the main line from Dunkirk to Brocton are housed in the Fredonia car barn. All of the cars run on the Hamburg and the main line from Buffalo city line to Farnham are housed in the Blasdell car barn.

The company owns no separate station buildings, but ticket offices are maintained in rooms rented for that purpose at the following points: West Seneca, Angola, Farnham, Fredonia, Ripley, and State Line. In addition, they contemplate when the through line is completed to maintain stations at the following points: Irving, Silver Creek, Dunkirk, Lamberton, Brocton, Portland; also a ticket agent in the West Portland sub-station; and in joint use with the J. C. & L. E. depot at Westfield. The company also contemplates erecting shelter houses at a number of the more important flag stations.

The company owns no real estate outside of the right of way lands and lands for power houses, transformer stations, car barns, and gravel pits in the State of New York.

The width of the right of way varies from 75 to 160 ft.

The company maintains a fence on either side of the right of way except where parallel and adjoining steam railroad right of way. Wire fence with wooden posts is used. The fencing is practically completed on all portions that are at present being operated.

The company now owns a gravel bank near Sheridan village and about 4000 feet south of its main line, consisting of 4 acres, and containing an estimated quantity of about 100,000 yards of good gravel. A greater portion of the ballasting has been done with granulated slag, procured from the blast furnaces in the city of Buffalo, and its supply is sufficient for present and future purposes.

At present the cars on the main line between Buffalo and Farnham and on the Hamburg division, are housed, inspected, and repaired at Blasdell car barn. In this barn there are 24 cars housed, 9 men employed, 1 inspector at

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night. Cars operated on the Dunkirk city line, and on the main line between Dunkirk and Brocton, are housed in the barn at Fredonia. Cars are inspected each day; any trouble is reported to barn foreman by card and the inspector examines all working parts of cars. Cars and equipment receive a general overhauling when necessary. The appliances used in repairing cars are: 1 wheel press; 2 lathes; 1 drill press; 1 power hack saw; 1 water pit jack, and 1 rack jack. All cars operated west of Westfield are housed at Harbor Creek and Erie, in the State of Pennsylvania. All cars are thoroughly cleaned with water on inside; the outside of body rubbed with oil cleaner once a week. The windows are cleaned very frequently, or from three to five times per week, the night barn men assisting the car washers.

At present the system is operated in three divisions, the Hamburg, Dunkirk, and Erie.

On the Hamburg division there are five lines of cars operated, viz.: Abbott Road — Gate No. 2; South Park Avenue — Gate No. 1; South Park Avenue — Bay View; South Park Avenue — Hamburg Village; South Park Avenue — Farnham. Cars on the Abbott Road — Gate No. 2 line are operated from the Abbott road to Gate No. 2 through the Ridge road and Hamburg turnpike, a distance of 2.78 miles. Cars on this line are operated on a 20-minute headway from 6 a. m. to 12 p. m. Additional cars are run as traffic requires. The maximum number of cars required on this line is two. Cars are run from South Park avenue and Ridge road to Gate No. 1, through Ridge road and the turnpike, a distance of 1.65 miles. Cars on this line are operated on a 20-minute headway from 6 a. m. to 12 p. m. Extra cars are run as traffic requires. The maximum number of cars in operation on this line is three. Cars are operated from South Park avenue to Bay View in the town of Hamburg, through Ridge road and Hamburg turnpike, a distance of 5 miles. These cars are operated on 40-minute headway from 6 a. m. to 12 p. m. Additional cars are run as traffic requires. Bay View is a summer resort and during the season there is an extensive travel to and from this point. Extra cars are run to meet the requirements of this traffic. The road between South Park avenue and Bay View is double track and cars are put into service as occasion requires and at times are run on a minimum of 5-minute headway. In addition to the above, the South Park Avenue-Hamburg Village line is operated from South Park avenue through the Ridge road for about 1000 ft., then through private right of way to the village of Hamburg, a distance of 7.51 miles. Cars on this line are operated on 30-minute headway from 5:30 a. m. to 1 a. m. The running time on this line one way is 25 minutes, and on regular schedule operation two cars are required; on Sundays and holidays, a 15-minute schedule is operated, requiring four cars. The South Park Avenue-Farnham cars are operated from Lafayette Square, city of Buffalo, over the International Railway Company's tracks to Ridge road, corner South Park avenue, through Ridge road, Hamburg turnpike, and private right of way to Farnham, a distance of 30.70 miles. Cars on this line are operated on one hour headway. The running time is one hour and forty minutes. Four cars are required in operation on this line, two of which are at all times in the city limits of Buffalo. These cars are operated approximately about $6\frac{1}{2}$ miles over the tracks of the International Railway Company. As indicating the maximum number of cars required in operation on this division, Sunday, August 16, 1908, nine regular cars were in operation and seven extras.

On the Dunkirk division there are three lines of cars operated, namely, the City line in the city of Dunkirk; the Dunkirk and Fredonia, and the Fredonia and Brocton.

Cars on the City line are operated from Roberts roads and Pennsylvania railroad to Point Gratiot park, a distance of 5.85 miles. These cars are operated from the Roberts road terminus through Roberts road, Doughty street, Lion street, Seventh street, Central avenue, Sixth street, Dove street, Fifth street, Bass street, Front street, Light street to the park. During the winter season, operation to the park is discontinued and cars are run from Bass and Front streets along Front street and Lake road to the easterly city line. Cars on this line during the winter season are operated on 20-

minute headway. The running time one way is 20 minutes. Two cars are required. During the summer season a 10-minute service is operated to and from the park, one extra car being required for this purpose, starting from Lion and Third streets. During the winter season cars on the City line are operated from 6 a. m. to 12 p. m.

Cars on the Dunkirk and Fredonia line are operated from the Lake Shore & Michigan Southern depot, Dunkirk, to the village of Fredonia, a distance of 3½ miles. From the Lake Shore & Michigan Southern depot they are run through Lion street to Fourth street, Fourth street to Central avenue, Central avenue to Temple, Temple to Church, Church to Park, Park to Main street. Cars on this line are operated at all times on 20-minute headway; two cars required in operation. The running time is 15 to 18 minutes.

Cars on the Fredonia and Brocton line are operated from Main and Park streets, Fredonia, to the westerly village line of the village of Brocton, a distance of 7.61 miles. These cars are run on one hour headway; running time is 25 minutes; one in operation. Sundays and holidays cars are run on half hour schedule, requiring one additional car. According to the industrial conditions, one or two extra cars are required morning and evening to accommodate this class of travel between Fredonia and Dunkirk.

On the Interurban division extending from Westfield to Erie, a distance of 31.19 miles to the city line of Erie, cars are operated every hour from 6 a. m. until midnight on an hourly schedule, requiring four cars. In addition to this, there are cars run from Wesleyville, Pa., about two miles outside the city of Erie, giving intermediate service, which running in between the through cars from Westfield, serve the people along that section every half hour. In addition, there are local lines operated in the city of Erie.

The operating force of this company consists of the general manager, 3 division superintendents, 1 inspector on the Hamburg division, 1 inspector on the Dunkirk division, 1 inspector between Erie and Westfield, and 3 inspectors in the city of Erie. During the winter season 104 motormen and 97 conductors are employed. The maximum number of conductors is 119, and the maximum number of motormen 124. At present there is no train dispatching system. It is expected to install such a system as soon as through operation is commenced.

The Hamburg division between Ridge road and Hamburg village is equipped with a manually operated light block signal system with signals at each turnout. This division is not equipped with telephone system. There are no switch stands, targets, or signals on the private right of way on this division. There are no highway crossing-signs on this division. Switch numbers or names are not displayed. The suburban line of this division is equipped with a telephone system between Athol Springs and Farnham, with a branch line over to the Blasdell shops, with telephones in the sub-stations and also at the North Evans switch, also connected with the Blasdell car barns. The suburban division between Fredonia and Brocton is equipped with a telephone system with telephones at each turnout. The suburban line of the Erie division between Westfield and Erie is equipped with a manually operated light block signal system. There is no telephone line on this division. There is a cluster of lights burned on the approach to the structure over the Lake Shore and Nickel Plate railroads at Forsyth.

The track, roadbed, and structures of the main line between Buffalo and Dunkirk are in good condition. Between Dunkirk and Fredonia the track is in fair condition and while not first-class the cars now used, on the schedule on which they are operated, can be run over it in safety. The track from Fredonia to Brocton is in fair condition, except that portion of it through the main street of the village of Brocton, which is in poor condition. From Brocton to Westfield the track is in first-class condition. From Westfield to the state line the track, while not in first-class condition, is safe for operation. With the exception of the grade crossings of steam tracks there are no especially dangerous conditions on the Dunkirk City lines and the track on these lines is in fair condition. The track of the Hamburg division is in fair condition but many new ties are needed. The track through the Ridge road, from Abbott road to the turnpike, is in fair condition, except

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between the Pennsylvania and Lehigh bridges, where it is in very poor condition, with low joints and rail worn. All of the bridges, trestles, and structures on this system are of proper strength for the traffic which passes over them.

The track force employed is sufficient properly to maintain the track and roadbed. The company is preparing a train dispatching system; when this is completed and put into effect the operation will be all that safety requires. There is a sufficient and reliable power supply. When the additions to and changes in car barns have been completed the company will have sufficient car barn capacity to house all of its cars. The method of inspecting and cleaning cars is proper for their maintenance in a condition to carry passengers in safety and comfort. On each division there is a wrecking car equipped with necessary jacks and other tools for wrecking purposes. Each division has proper snow fighting appliances, as follows: on the Hamburg division, 1 sweeper, 1 rotary and 1 large shear plow; on the Dunkirk division, 1 sweeper, 1 small shear plow, and 1 large nose plow; on the Erie division, 2 sweepers, 1 shear plow, 1 rotary plow, and 1 nose plow.

The company has a proper system for the employment of motormen and conductors, printed application blanks being used which applicants are required to fill out, furnishing reference. They are also required to pass a physical examination. Motormen are broken in in the usual manner.

The points to and from which there is unusually heavy travel are as follows: Bay View is a summer resort located on Lake Erie, 3.8 miles from Buffalo city line; at this point there is a private park with the usual summer park attractions. In Dunkirk, Point Gratiot is a city park located on the shores of Lake Erie, patronized by people of Dunkirk and vicinity during the summer season. The company leases what is known as the Chautauqua Agricultural County Fair Association grounds on which there is a building used for amusement purposes and base ball grounds, situated at the southerly end of the city of Dunkirk. The company owns and leases to private parties a park at Orchard Park, also located on Lake Erie near North East, Pa.; there is an excursion travel to and from this park, a portion of which originates in New York state. In addition, there are other places of amusement on the line of the road in Pennsylvania.

On the date of the inspection this road was not entirely completed and several conditions affecting the safety of operation were at that time defective. The company was engaged in remedying these conditions, which included the placing of switch stands, targets, and signal lights on private right of way, the locking of switches, placing of guard rails on some of the structures, placing of metal troughs on the trolley wire at grade crossings of steam tracks, making necessary repairs on track, and equipping of suburban cars with wrecking tools. No recommendations to improve the above conditions are made in this report, as it is expected that the company has at this time remedied all of these conditions, and as soon as possible a supplementary inspection of this road will be made.

Respectfully submitted,
C. R. Barnes,
Electric Railroad Inspector.

BUFFALO, LOCKPORT AND ROCHESTER RAILROAD.

F. W. STEVENS, *Chairman,*

Public Service Commission, Second District:

DEAR SIR: In compliance with instructions, on November 4th I made a supplementary inspection of the Buffalo, Lockport & Rochester railroad.

On the above date this railroad was being operated between Rochester and Albion. I was informed by officials of the company that operations were to be extended between Albion and Lockport, commencing some time during the week ending November 14th. Previous to the above date, an inspection of this road had been made including the unfinished portion between Albion and

Lockport. A detailed report of this inspection is at present being made. On the last inspection it was found that the section of road between Albion and Lockport was completed and it was in first-class condition.

At present, the condition of track, roadbed, cars, and equipment are proper for the operation of a high speed suburban railroad. The rules, schedules, and method of operation, including train dispatching, are also proper for safe operation.

There are no conditions of track, roadbed, equipment, or methods of operation affecting the safety of the public, on this railroad, which at present require action on the part of this Commission.

Respectfully yours,
C. R. BARNES,
Electric Railroad Inspector.

BUFFALO SOUTHERN RAILROAD.

J. S. KENNEDY, *Secretary,*
Public Service Commission, Second District:

DEAR SIR: In the matter of the compliance of the Buffalo Southern Railway Company with the recommendations contained in the last inspection report, I submit:

August 4, 1908, I found that this company had during this summer put in 800 new ties, ballasted, aligned, and gauged 7 miles of track, and had weeded 9 miles on its Hamburg division. During the month of July, 13 men and a foreman were employed on this division. The company has on hand 450 new oak ties 6 x 8 in. The work of putting in new ties is in process and will be continued.

Respectfully yours,
C. R. BARNES,
Electric Railroad Inspector.

J. S. KENNEDY, *Secretary,*
Public Service Commission, Second District:

DEAR SIR: Referring to yours of July 30, 1908, in reference to complaint as to condition of trestle on the approach to a bridge over the Cazenovia creek on the Buffalo Southern railroad, I submit:

August 4, 1908, I made an inspection of the bridge and approaches complained of and found that the recommendations contained in a recent report on an inspection of this railroad in reference to Cazenovia bridge and approaches had been complied with, the work of repairing the trestle having been completed a few days previous to that date. This trestle has been improved by the addition of 25 new caps; 20 new stringers; 10 new trestle bents; bents have been end- and side-braced by planks spiked to piles; 52 new ties have been added; 15 new pieces of guard timber have been put in; and 6 pieces of saddle blocks added.

The alignment of track on the whole structure is fair. The approaches and bridge are equipped with guard rails and guard timbers.

This structure is at present in a safe condition for the operation of the class of cars and the speed at which they are run over it.

Respectfully yours,
C. R. BARNES,
Electric Railroad Inspector.

CORTLAND COUNTY TRACTION.

Public Service Commission, Second District:

GENTLEMEN: On June 12, 1908, I made a supplementary inspection of the Cortland County Traction Company's system, and submit:

The trestle near McGraw has not been improved as suggested in the last inspection report; timbers for this improvement have been ordered and a portion of these are on hand. At the next pony truss bridge some filling has been done on approaches; it is at present in safe condition. At the through

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bridge some shoring has been done on the west side. This bridge and approaches at present are in fair condition but should be improved by reconstruction of the approaches; timbers for this purpose have been ordered.

On the Homer and Preble line a metal trough has been placed on the trolley wire at the crossing of the D., L. & W. tracks. The derails for this crossing have been ordered and are expected within 30 days. The track on this line is in fair condition except in the village of Homer, where repairs are necessary.

Respectfully submitted,

C. R. BARNES,

Electric Railroad Inspector.

GENEVA, WATERLOO, SENECA FALLS AND CAYUGA LAKE.

Public Service Commission, Second District:

GENTLEMEN: On June 1, 1908, I made a supplementary inspection of the Geneva, Waterloo, Seneca Falls & Cayuga Lake Traction Company's system, and find that in compliance with recommendations contained in a previous inspection report the company has made the following betterments: Metal troughs have been placed on the trolley wire at all of the grade crossings of steam railroads. A telephone system has been installed with telephone at all turnouts. All switches have been equipped with signs showing in each direction the number of switch. Considerable work has been done surfacing and aligning track.

Respectfully submitted,

C. R. BARNES,

Electric Railroad Inspector.

ITHACA STREET RAILWAY.

Public Service Commission, Second District:

GENTLEMEN: Supplementing previous inspection reports on the Ithaca Street railway and in the matter of the complaints of citizens of Ithaca against that company, I submit:

Supplementary inspections of this road and investigation of complaints against the company as to facilities furnished and safety of operation were made June 13 and 19, 1908. The last regular inspection of this road was made October 22, 1907, and in a report on that inspection dated November 15, 1907, the dangerous conditions existing on this line were mentioned and several suggestions were made for the improvement of physical conditions, equipment, and methods of operation. Among these were the following: 1, the painting of several of the bridges; 2, that a number of the bridges should be examined by a bridge expert and a copy of his report submitted to this Commission; 3, that the main line be double track from the Lehigh Valley depot to corner of Eddy and State streets; 4, that all cars operated on State street line should be double truck and equipped with air brakes; 5, that the 45-lb. rail on the campus and through Cornell Heights be replaced by a heavier rail; 6, that a manually operated block signal system be installed protecting the section of track between the junction of the State street line and Huestis street and the Eddy street siding at the junction of Eddy and State streets. This report also stated that no special improvements had been made in the track or roadbed during the past year. I am informed by the general manager of the company that the suggestion in reference to the examination of bridges by an expert has been complied with, but this Commission has received no report on them. With the above exception, none of the suggestions mentioned above have been complied with. The complainants against this company petition this Commission to order the company to operate a 10-minute schedule around the loop, through the campus and Cornell Heights on the State street line, instead of a 16-minute service as at present run. The company claimed they did not have sufficient equipment of the proper kind to operate on the hill to meet this requirement, also that the location of the switches was such that it was impracticable to operate a 10-minute headway.

I have made a detailed examination of all the cars in operation on June 19th. This examination was made by taking each car out of service and into the car barn, placing it over a pit, and examining the motors, brakes, brake levers, rods and chains, the wheels, axles, and everything connected with the car and the equipment. I found that the cars were maintained in first-class condition, only one flat wheel and one chipped flange being found; no other defects were discovered.

This examination also developed the fact that the company has not available a sufficient number of cars with proper motor equipment to operate on the hill to maintain a 10-minute schedule around the loop on the State street line and fill the schedule on the other lines of the company's system. A 10-minute schedule around the loop could not be operated in safety without the addition of another switch near the heating plant on the campus. The running time of these cars around the loop could be reduced about four minutes if the operation on the dead-end extension to the library building on the campus was discontinued. I am informed that this has since been done.

There is not sufficient service operated to and from the East Ithaca depot. At times these cars are overloaded to such an extent as to cause serious inconvenience to passengers and materially add to the danger of operation. Usually a large amount of baggage is carried on these cars and in most cases piled on the rear vestibule in such a manner that the rear brake could not be operated.

On account of the heavy grades and curves on this road it is considered one of the most dangerous railroads to operate in this State. For this reason a number of inspections of it have been made from time to time in the past, and suggestions and recommendations for improvements have been made. Very few, if any, betterments which would tend to prevent accidents on this road have been made in the past five years. Portions of the track at present are not proper for safe operation, especially on the campus and through Cornell Heights. The track has not been properly maintained. Very little reconstruction has been done. On several portions there are low and loose joints, and in places the rail is worn. The cars are not of the proper class to operate in safety on the heavy grades. Painting had not been done on the bridges; and other matters which have been neglected add to the possibility of accidents on this railroad. Former managements of this company have not shown a disposition to do what was necessary to improve the safety of operation on this road; and as the present management has been in control a sufficient length of time to have complied with some of the suggestions contained in the last inspection report and have failed to do so, and as safety, convenience, and comfort of passengers require that some of the conditions existing on this road should be immediately remedied, it is respectfully submitted that this Commission issue to the Ithaca Street Railway Company the following orders:

1. That all cars operated on the grades above Tioga street be equipped with some braking system in addition to the hand brake now in use on such cars, such additional braking system to be approved by this Commission; the order to be complied with before December 1, 1908.
2. That after May 1, 1909, no single-truck car shall be operated on the grades above Tioga street, the class of cars to replace the single-truck cars to be approved by this Commission.
3. That the closed cars operated on this company's system be equipped with full vestibules with side doors; this to be completed before December 1, 1908.
4. That all of the 45-lb. rails in the track on the curves through the campus and Cornell Heights be replaced by 60-lb. rails; this work to be completed not later than December 1, 1908.
5. That a manually operated block signal system be installed protecting the East Ithaca cars on the section of track on the State street line over which they are operated; also at the junction of Stewart avenue and State street; and at the junction of State street and Eddy street. The plan for and the location of these signals to be approved by this Commission; and the work to be completed not later than December 1, 1908.

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6. That not later than December 1, 1908, a 10-minute headway service be installed in each direction around the loop through the campus and Cornell Heights.

7. That a man be employed sanding the track on the heavy grades on State street at all hours during which cars are operated.

8. That the State street line be equipped with a telephone system with telephones at all turnouts connected with the superintendent's office; this system to be completed before December 1, 1908.

9. That when necessary to prevent the overloading of cars on the East Ithaca line, two cars should be run.

In addition to the above orders the company should be requested immediately to furnish this Commission with a copy of the bridge expert's report on his examination of the bridges mentioned; also it should be required to furnish the Commission with a copy of the contract for the 10 new cars which it claims have been ordered. In addition, the company should be requested to submit a statement showing the status to date of the matter of double tracking the State street line.

Respectfully submitted,
C. R. Barnes,
Electrical Expert.

KINGSTON CONSOLIDATED RAILROAD.

Public Service Commission, Second District:

GENTLEMEN: In the matter of the complaint of the Common Council of the city of Kingston, N. Y., by Charles Schermerhorn, Wm. McCullough, and John F. Remus against the Kingston Consolidated Railroad Company, as to the condition of its tracks, September 23, 1908, I made a supplementary inspection of the Kingston Consolidated railroad, and submit:

The single track through Broadway, which was formerly owned by the Kingston City Railroad Company, from St. James street to Delaware avenue, a distance of 6324 ft., is constructed of 7-in., 80-lb. grooved, girder rail, laid in 1893. At Delaware avenue there are 100 ft. of 90-lb. T-rail, laid in 1905. From Delaware avenue to Spring street, a distance of 2322 ft., the track is constructed of 72-lb. grooved, girder rail, laid in 1893. Through Wall street, from North Front street to Main street, a distance of 1028 ft., the track is constructed of 7-in., 80-lb. girder rail, laid in 1894. Through North Front street, from Wall to Crown street, a distance of 500 ft., the track is constructed of 7-in., 80-lb. girder rail, laid in 1894. The details of track construction of other portions of this system are not given in this communication, as these streets are the only ones in which the condition of track is at present complained of. The details of other portions are contained in a previous inspection report, dated November 15, 1907. This complaint originated from the fact that the municipal authorities are preparing to pave the streets mentioned above, and before doing so desire new track to be laid through them.

The condition of track on Broadway, between the points mentioned, is such that comfort and convenience of passengers, as well as the question of economy in operation, demand that it be reconstructed. The joints are low and loose and the rail worn to such an extent that it would not be good policy on the part of the company to relay it, especially in a new pavement. The condition of the track through Wall street and North Front street is fair, and were it not for the proposed new pavement, it would not be necessary to reconstruct this track in the immediate future. The officials of this company realize the necessity for the reconstruction of the track through Broadway, and express a desire to reconstruct it. There is, however, a difference of opinion between the city authorities and the officials of the company as to the character of rail to be used. The company desires to reconstruct with a T-rail, 5 $\frac{3}{4}$ in. high; the city authorities desire that it be reconstructed with a 7-in. girder rail, or a high T-rail.

Based on the safety, comfort, and convenience of the public, the following recommendations are made:

1. That the Kingston Consolidated Railroad Company relay the track through Broadway from St. James street to Spring street, a distance of 8646 ft.; this work to be completed as soon as possible.

2. That the Kingston Consolidated Railroad Company relay the track through Wall street from Main to North Front street, a distance of 1028 ft., and through North Front street from Wall to Crown street, a distance of 500 ft.; this work to be done before a new pavement is laid in these streets.

Respectfully submitted,

C. R. BARNES,
Electrical Inspector.

NEW PALTZ, HIGHLAND AND POUGHKEEPSIE TRACTION.

J. S. KENNEDY, *Secretary,*

Public Service Commission, Second District.

DEAR SIR: In the matter of the complaint of Luther Hasbrouck and others against the New Paltz, Highland & Poughkeepsie Traction Company, I submit:

Supplementing previous reports on this matter, and complying with the suggestion contained in my communication of September 22, 1908, on September 24, 1908, I made a supplementary inspection of the New Paltz, Highland & Poughkeepsie Traction Company's system, and submit:

During the summer season of this year and on the date of the inspection the company employed a gang of 5 section men and a foreman in improving track and roadbed. During the summer season 2900 new ties were put in, and it is expected that 1000 more new ties will be added before the winter season commences. The company has surfaced and aligned 3½ miles of track, in doing which some gravel was used, but the larger part of the surfacing was done with ashes. Since the last inspection the company has changed the axles on all passenger cars, substituting heavier axles, from 3½ to 4 inches. All the open cars were painted last spring. Box cars are at present being painted, and it is expected that all will be painted this fall. A repaired and newly painted car has been put in service on the stub track between the West Shore railroad and the river. The telephone system has been completed with 16 plug boxes, and each regular passenger car is equipped with a telephone. Some of the lightning arresters have been placed in position, and this work will be completed in a short time. The bridges have been examined by a bridge expert, and I am assured that a copy of his report will be submitted to the Commission.

The additional switch suggested in the last inspection report, near the village of Highland, has not been placed in position. The company claims that it is unable to do this on account of the objection of property owners to its location. This switch is necessary for the proper operation of this road, as the run from the last switch to the river terminus is 15 minutes, and this condition limits the operation on this road to a 30-minute headway.

I am informed that on account of financial conditions the company did not secure the 3 open additional cars which it promised would be purchased for operation during the summer of this year, but did have sufficient cars for maximum requirements of operation. During the summer season they had available 5 cars, and only on four or five occasions was it necessary to operate them all at once.

Changes in schedule have been made since the last inspection report. During the summer season and to September 15th, the last car left New Paltz at 7:45 p. m., and the river at 8:30 p. m. Since September 15th, the last car leaves New Paltz at 6:00 p. m., and the river at 7:10 p. m. Material improvements have been made in the track and roadbed, also in the cars and equipment of this company's system. Several of the residents of New Paltz, including some of the complainants in this case, were interviewed on the subject of the facilities furnished by this company, and all were agreed that conditions had been materially improved since the complaint was filed with this Commission. All were perfectly satisfied with the present conditions and had no suggestions to offer for further betterments.

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While the expressions obtained from the people interviewed represent public opinion on this subject, safety of operation demands that this company should comply with the recommendations in reference to some kind of a barrier at the end of the track near the West Shore railroad, to prevent a runaway car from going on the steam track. Movement of cars would be facilitated and at times the convenience of the public increased if the additional switch suggested, in the village of Highland, were placed in position. Safety of operation would be still further increased if, and the conditions are such that it is necessary, the suggested change of location of track on the hill below Highland village be made and the proposed bridge constructed across the creek at that point.

Respectfully submitted,
C. R. Barnes,
Electric Railroad Inspector.

NEW YORK AND LONG ISLAND TRACTION.

Public Service Commission, Second District:

GENTLEMEN: February 28 and 29, and July 29, 1908, I made an inspection of the New York & Long Island Traction Company's system and submit:

This system consists of 35.6 miles of single track and 4.42 miles of second track, 26.80 miles of which is within the jurisdiction of the Public Service Commission, Second District; there is no second track in this section except on siding, and 7.85 miles of track is on private right of way. This track is constructed of 70-lb. T-rail and 7-in. girder rail, the latter being laid through the villages and all the improved highways.

On the system there are three divisions, viz.: Hempstead-Jamaica, Jericho Turnpike, and the Southern division; the Jericho Turnpike division terminates in the village of Mineola, the others centering in the village of Hempstead. The Hempstead-Jamaica division extends from Hempstead west to the New York city line, from which point cars on this route are operated over the tracks of the Long Island Electric Company to Jamaica, a total distance of 10.30 miles, of which 5.10 miles is within the jurisdiction of the Public Service Commission, Second District. The track of this division is constructed from the corner of Front and Main streets in the village of Hempstead, through Fulton street to the westerly limits of the village, and from that point on the south side of the Hempstead and Jamaica turnpike to the end of this company's line at the city line. On this division there are 3 turnouts. The track of the Jericho turnpike division extends from the old country road terminus through Franklin street in Mineola, northerly to the Jericho turnpike, then on the north side of the Jericho turnpike through the villages of New Hyde Park and Floral Park to and beyond the city line, a distance of 6.75 miles, of which 4.36 miles is within the jurisdiction of the Public Service Commission, Second District. On this division there are 3 turnouts. The track of the Southern division extends from Mineola to the corner of Liberty and Grant avenues in the borough of Kings, a distance of 24.35 miles, of which 16.86 miles is within the jurisdiction of the Public Service Commission, Second District. The track of this line extends from the old South road in Mineola through Franklin avenue to Main street in Hempstead, through Main street, Fulton street, Henry street, to the Hempstead village line, then along the east side of Hempstead and Babylon turnpike to the village line of Freeport, then through the center of Main and South Main streets, Bedell street, and Atlantic avenue to the west line of the village of Freeport, then on the north side of Atlantic avenue to the north side of Brower avenue, through Rockville Center with double track through the center of Woods avenue, then with single track on private right of way through the villages of Lynbrook and Valley Stream to the city line. On this division there are 12 turnouts.

On the system within the jurisdiction of this Commission there are 9 crossings of steam railroads, of which 4 are overhead crossings and 5 are at grade.

There are no excessive grades, the maximum ones being on the approaches to structures at steam crossings; these vary from 6 to 8 per cent.

On this system and within the jurisdiction of this Commission there are the incorporated villages of Mineola, Hempstead, Freeport, and Rockville Center; and the unincorporated villages of Valley Stream, Lynbrook, Baldwin, New Hyde Park, and Floral Park. These villages have an estimated population as follows: Mineola, 1439; Hempstead, 4426; Freeport, 4705; Rockville Center, 3030; Valley Stream, 1033; Lynbrook, 2051; Baldwin, 2596; New Hyde Park, 446; Floral Park, 580. In the territory in which this company's system is located the additional transportation facilities consist of the Long Island railroad. The Southern division of this company's system parallels the Montauk division of the Long Island railroad from Valley Stream to Freeport; the Jamaica-Garden City branch of the latter road crosses the tracks of this company's system at Garden City; the main line of the Long Island railroad parallels the track of this company between Mineola and Jamaica; another line of the steam railroad parallels the track of this company from Mineola to Valley Stream.

This company owns available for operation 29 double-truck cars, all semi-convertible, available for summer and winter operation. Four of these are of type known as the Wasson and twenty-five are Brill, all seating 44 people each. Twelve of these cars are equipped with G. E. 80, 4 motors (40 hp.); 8 are equipped with Westinghouse 49, 4 motors (40 hp.); 6 with Westinghouse 56, 2 motors (50 hp.), and 3 are equipped with Westinghouse 56, 4 motors (50 hp.). All of the cars are equipped with air and hand brakes, sand boxes, and arc headlights. Wheels, steel, 33-in. with 3-in. tread. Of the car equipment 4 were put in service in 1903, 13 in 1905, and 12 in 1906. All of the motor equipment of these cars was new when put in service. In addition to the above the company owns available for operation on this system 1 Ruggles snow-plow, 2 nose snow-plows with motor equipment, and 2 McGuire sweepers.

Cars are inspected every night. Cars are swept every night and at different points on the line while in service. They are washed inside and out every day during the summer season and as frequently as weather will permit during the winter. The general repairs and overhauling of all of this company's equipment is made in the shops of the New York and Queens Railway Company, in Long Island City. They are overhauled on a mileage basis.

The company's power house is located at Rockville Center on the Southern division. It is equipped with 3 generating units. It has sufficient power for maximum requirements of operation and sufficient feeder wires for proper distribution of power.

The company's car barn is located in the village of Hempstead. It has not sufficient barn facilities to house all of the cars operated.

There are 3 lines of cars operated on this system, viz: Hempstead-Jamaica; Mineola, Hempstead and Freeport; and the Jericho Turnpike line. The Hempstead-Jamaica line is operated over the tracks of this system from Hempstead to the New York city line; from this point cars are run over the tracks of the Long Island Electric to the terminus in Jamaica, a total distance 10.03 miles. The cars on the Mineola, Hempstead and Freeport line, or the Southern division, are operated from Mineola through Garden City, Hempstead, Freeport, Baldwin, Rockville Center, Lynbrook, and Valley Stream to the New York city line, and continuing from this point to the terminus at Liberty and Grand avenues in the borough of Kings, at this point connecting with the Brooklyn Union Elevated line; the total length of this route is 16.86 miles. Cars on the Jericho Turnpike line are operated from Mineola to a point beyond the city line, a distance of 6.75 miles, over the track of this company; at this point they connect with the cars of the Long Island Electric railroad which run between the city line and Jamaica. Cars on all these lines are operated on a 30-minute headway from 4:45 a. m. to 12:45 a. m.; extra cars are run as traffic requires. Transfers are given to and from this company's cars at the junction of the Hempstead plank road and Jericho turnpike in the city of New York, and between all lines in the village of Hempstead, also in Mineola.

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Switches on the Jericho Turnpike division are located for a 15-minute headway; on the Hempstead-Jamaica division for a 20-minute headway; on the Mineola, Hempstead and Freeport, or Southern division, from the city line to Hempstead they are located for a 20-minute headway, between Hempstead and Mineola for a 30-minute headway.

The dispatcher's office is located at Hempstead. All of the lines are equipped with a telephone system with telephones at each turnout connecting with the dispatcher's office. The crews report to the dispatcher at every scheduled meeting point. Train sheets are kept in the dispatcher's office and all car movements recorded. Orders are issued by telephone and received by the conductors and repeated by them to the dispatcher. Orders are not written by the conductors but a blank is used by them on which they make note of what cars and how many they are to meet on the different switches. With the present system of issuing train orders and the large number which are issued, the telephone system is an important feature in the proper movement of cars. This was found to be in first-class condition except some minor defects in the arrangement of the switchboard in the dispatcher's office, which have been remedied since the date of the first inspection.

The bridges and structures on the Southern division were inspected, commencing at the New York city line, and are numbered consecutively from that point:

1. Between the city line and Valley Stream a 28-bent trestle, 13 ft., 6 in. centers, constructed of 12 x 12 in. caps on 4 12-in. piles; 2 8 x 14-in. stringers, yellow pine trestle, on a tangent. Maximum height 10 ft. Track alignment good. Guard rails on portions of structure, the balance being put on. Structure in good condition.

2. East of Valley Stream the track is constructed over a single track of the Valley Stream branch of the Long Island railroad on a plate girder bridge 80 ft. long with trestle approaches on either side. Bridge girder 4 ft., 6 in. deep. Bridge resting on steel columns, concrete foundations. West approach on a curve, the east one on a tangent. Both on a grade ascending to the bridge, the west one of 5 per cent. and the east one 4 per cent. On the west side there are 17 pile bents, end and side braced; on the east 23 timber bents with batter posts. Bridge and approaches equipped with guard rails and guard timbers. Structure in good condition.

3. Near Lynbrook an 18-bent trestle; maximum height 4 ft. Same construction as No. 1. Structure in good condition.

4. A plate girder bridge over two tracks of the main line of the Long Island railroad at Rockville Center. This bridge is 80 ft. long with 6-ft. girders, resting on concrete abutments, with approaches of timber trestle with batter posts resting on concrete foundations. Both approaches are curves. Bridge and approaches equipped with guard rails and guard timbers. Structure in good condition except a dip in the track on the west approach which should be leveled up.

5. Near Rockville Center 97 bents of pile trestle. Same construction as No. 1. Trestle over a swamp. Maximum height 18 ft. On a tangent, equipped with guard rails and guard timbers. Alignment of track good. Structure in good condition.

6. Structure over Parsonage creek, a lift bridge, 20-ft. span. Constructed with plate girder. Highway bridge with track on the south side. Bridge resting on pile abutments. Structure in good condition.

7. Structure over Milburn creek; same construction and length as No. 6. Structure in good condition.

8. The Hempstead-Jamaica line is constructed over the double tracks of the Long Island railroad on a plate girder bridge 65 ft. long, with 5 ft. 6 in. girders. There are steel trestle approaches on either side of this bridge. Steel columns set on concrete foundations. The approaches are on a 7 per cent. grade ascending to the bridge with curves at the foot of each with guard rails and guard timbers. This structure is in good condition.

9. In Mineola the track is constructed over two tracks of the Long Island railroad on a plate girder bridge, 114 ft. long, resting on concrete abutments and center steel columns. This is a street bridge with a plate girder between

the tracks and roadway. The approaches are on a tangent and up a 5 per cent. grade to the bridge on each side. This bridge was recently constructed and is in good condition.

10. On the Jericho turnpike the track is constructed on the highway under the Long Island railroad.

In Mineola the single track of this line crosses at grade a switch track which extends to the water works: this crossing is level and open and clear to view in each direction; cars are taken over the steam track about once a week; there is no protection at this crossing and none is recommended. In Garden City the single track of this line crosses three tracks of the Garden City & Hempstead branch of the Long Island railroad: this crossing is protected by derails and signals on the electric track operated by a man on the ground at all hours; there is a metal trough on the trolley wire extending over the crossing. In Hempstead the single track of this line crosses the single track of the Valley Stream branch of the Long Island railroad: this crossing is protected by derails in the electric track operated by conductors of the electric cars; there is a metal trough on the trolley wire extending over the crossing. In Freeport the single track of this line crosses four tracks of the Montauk division of the Long Island railroad: this crossing is interlocked and protected by derails operated by a man on the ground at all hours; the conductors of the electric cars also flag this crossing; there is a metal trough on the trolley wire extending over this crossing.

There are in the village of Baldwins 2060 ft. of double track; in Rockville Center, 3412 ft.; in Lynbrook, 2521 ft.; in Valley Stream, 2221 ft.; and west of the first trestle west of Valley Stream, 2227 ft.

The track and roadbed of this system are all in good condition, and the company employs a sufficient force to maintain it properly. On the last date of inspection 20 men were at work straightening track between Freeport and the city line.

During the morning and evening rush hours some of the cars on the Southern division, especially between the Brooklyn terminus and Freeport, are overloaded.

There are a large number of curves and several reverse curves between the city line and Freeport. On the date of the first inspection the right of way was not properly cleared, and brush and small trees seriously interferred with the vision of motormen; on the date of the last inspection it was found that the right of way had been cleared and work was in progress in straightening out some of the reverse curves to improve conditions in reference to the length of vision.

None of the highway crossings are equipped with crossing-signs.

In view of the large number of structures on the line between the city line and Freeport, traffic on this division of the company's system does not warrant the double tracking of these structures, all of which, at present, are single track. The line should, however, be double tracked between Freeport and the double-track junction near Valley Stream except on structures. On account of some of the narrow streets through which the line is constructed it is impracticable to double track it through Freeport and Hempstead.

The switches on the Southern division should be arranged for a 15-minute headway. This could be done by the relocation of three of the turnouts and the addition of two new ones. These changes should be made as soon as possible and a 15-minute service installed during certain portions of the day.

Several head-on collisions have occurred on this railroad, one within the past year. The methods of operation on it are not considered perfect. The train dispatching is defective in that no orders are written out by the dispatcher nor record kept of them in his office. Orders are received and repeated back to the dispatcher by one member of the crew only. Proper blanks are not used for receiving train orders. The company has no printed book of rules. They have no printed schedule showing time of different runs at termini and meeting points. The volume of travel on this single-track road requires that all precautions possible to prevent accidents should be

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taken. To improve the safety of operation and add to the convenience of passengers on this railroad the following recommendations are made:

Recommendations: 1. That the company as soon as possible and within one year from date complete the second track of its Southern division from the double-track junction near Valley Stream to Freeport, except on the bridges and trestles.

2. That a rearrangement of and addition to the turnouts between Freeport and Mineola be made so as to permit of the operation of cars on a 15-minute headway on the Southern division of its system; these changes and additions of switches to be completed before December 1, 1908.

3. That not later than December 1, 1908, this company operate cars on less than a 30-minute headway, sufficient in number to relieve the over-crowded condition which exists at present on some of the cars operated on its Southern division during the morning and evening rush hours; the number necessary to be determined by this Commission.

4. That the company put in operation a method of train dispatching with proper blanks, such as adopted by the New York State Street Railroad Association.

5. That it increase its car barn facilities sufficiently to house all cars owned by the company.

6. That the company equip all of the grade crossings of highways on its system outside of villages with a proper crossing-sign.

Respectfully yours,
C. R. Barnes,
Electrical Expert.

J. E. SAGUE, *Commissioner,*

Public Service Commission, Second District:

DEAR SIR: Referring to inclosed communication of W. O. Wood, vice-president and general manager of the New York & Long Island Traction Company, and supplementing previous reports on inspections of this railroad, I submit:

Following a head-on collision which occurred on this railroad, complaint was made by Elvin N. Edwards and others as to the additional dangers caused in operation by obstruction to vision of motorman as a result of numerous curves on the road and the growth of brush and trees on the private right of way.

Since the complaint, conditions in the above respects have been materially improved, several of the curves have been straightened, and the right of way has been cleared of obstructions to vision. At present the road between Freeport and the New York city line is in condition for safe operation.

In previous inspection reports, recommendations were made for double tracking the line between Freeport and the city line, except on bridges and structures; also for the construction of additional turnouts between Freeport and Mineola, which would permit of the operation of cars on a 10-minute headway.

The above recommendations were made with a view of providing for expected increase in traffic, which would necessitate the operation of cars on a 10-minute headway. Mr. Wood's communication states that the expected increase in traffic has not materialized and that the present service is adequate. These statements will be the subject of investigations, which will be made as soon as possible, and on which an additional report will be submitted.

With the exception of double tracking between Freeport and the city line, the conditions complained of by Mr. Edwards have been remedied. For this reason, I suggest that this case be closed.

Respectfully yours,
C. R. Barnes,
Electric Railroad Inspector.

NIAGARA GORGE RAILROAD.

J. S. KENNEDY, *Secretary,*

Public Service Commission, Second District:

DEAR SIR: Referring to yours of July 2nd in reference to equipment of trains with brakes on the Niagara Gorge railway, I submit:

August 6, 1908, I found that two additional trains were being equipped with air, as recommended.

Mr. Jones, general manager of the road, told me that that was all the company proposed to do in the equipment of cars with air brakes this season, but that they proposed to equip two more trains next season.

The company is making proper headway in equipping trains with air brakes as recommended and are doing the work as fast as financial conditions will permit.

No further action is deemed necessary on this matter by the Commission this season.

Respectfully yours,

C. R. BARNES,
Electric Railroad Inspector.

J. S. KENNEDY, *Secretary,*

Public Service Commission, Second District:

DEAR SIR: Referring to inspection report of the Niagara Gorge railway, dated July 15, 1907, containing three orders and the correspondence in reference to them, I submit:

In reference to order No. 1: "That equipment be completed on all curves facing the river with the guard rail similar to that on other portions of the line, and that all such curves be equipped with a ribbon guard on the inside rail of the up or outside track." At this date the company has all of the guard rail on hand necessary for compliance with this order. It is being placed in position as fast as the section men can do the work and not interfere with the regular track maintenance.

Order No. 2: "That no fares be collected by conductors of trailer cars while such cars are being operated down the grade near the Niagara Falls terminus, the conductors while on this grade to be stationed at the brake." This order is being complied with.

Order No. 3: "That after January 1, 1908, no train consisting of two or more cars coupled together drawn by one motor car be operated on this railroad unless all cars in such train are equipped with some form of power brake so constructed that the motorman can set the brakes on all the cars of a train." The company has ordered two new brake equipments, which will be received and put on the cars this month.

Mr. Jones, the general manager of this railroad company, is at present in Europe, and is expected home the latter part of June. After his arrival, I shall call on him and discuss the further compliance by the company with order No. 3.

Very truly yours,

C. R. BARNES,
Electrical Expert.

ONEONTA AND MOHAWK VALLEY RAILROAD.

Public Service Commission, Second District:

GENTLEMEN: I have made a supplementary inspection of the Oneonta & Mohawk Valley railroad and submit:

This inspection was made July 20th and 21st, and it was found that this company has done a large amount of work in ballasting, surfacing, and aligning track since the date of the last inspection; at this time there are $2\frac{1}{4}$ miles of stone ballast completed, and it is expected that $\frac{1}{2}$ mile more will be finished this year. Other parts of the line are ballasted with gravel. General repairs have been made on 40 miles of track in aligning and raising joints this season. An average of 3000 new ties per month have been put in this season. This work was commenced the first of April. All of the bridges on

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the line have been inspected and regular maintenance repairs on them made. Three of the cars have been re-painted and refurnished and it is the intention to overhaul all of the cars before the first of January. This will be done by taking them out of service as travel permits. Considerable work has been done on the trolley and feeder wires, aligning the trolley wires and adding more feed taps. This work will be continued throughout the season. New side tracks have been built at West Oneonta; new side track extensions at Robinsons, Walnut Grove, and Schuyler Lake. A wye has also been graded at Walnut Grove and will be installed in the near future; another is in course of construction at Hartwick; and the steel for one at Oneonta is on the ground and will be placed in position within a few weeks. New rails have been placed on a number of the curves. The Normal branch of the city line in Oneonta has been entirely re-tied and rebuilt its entire length. The bridge over East Branch creek, north of Mount Vision, is in poor condition but not dangerous to operate over; the approaches have been washed out and they are at present cobbled up. The bridge over Otego creek is not in first-class condition. One new abutment has been put in; the other is not at present in dangerous condition but should be renewed. The first bridge south of Oakville over a mill race should be reconstructed; its south abutment shows signs of bulging; it has been strengthened by bracing. At Mason's crossing there are two openings, one 15 ft., the other 12 ft., with pile abutment and wood stringers, neither of which is in first-class condition; these structures are not in dangerous condition to operate over at present, but while allowed to remain should be watched carefully. Considerable work has been done at this point in changing the location of the line, much filling and grading having been done; when this is completed the use of the structures mentioned above will be discontinued. No improvement has been made in the trestle over Fulmer's creek.

This company has done a large amount of work in ballasting and in track maintenance, but considerable work of this nature remains to be done; the track at present is in safe condition for the class of cars operated and the speed at which they are run, but needs a large amount of ballast and many additional ties. A number of the structures mentioned in the last inspection report should be reconstructed with concrete abutment. The work of changing the location of the line at Mason's crossing should be completed. The trestle over Fulmer creek is at present in safe condition for the regular operation of cars as they are at present run over it, but as it is located on a long, heavy grade and the trestle is on a curve, a runaway car going on the trestle at high speed might result in a failure of the structure. Such an occurrence is possible. This company is at present in the hands of a receiver and he has plans prepared to fill in the above mentioned trestle with a concrete arch for the waterway. This should be done as soon as possible.

That the Commission may obtain some definite information as to when the above mentioned necessary improvements and betterments on this railroad will be made, the suggestion is offered that the Commission cite the receiver of this road to appear before it prepared to give the necessary information on these subjects.

Respectfully yours,
C. R. Barnes,
Electrical Expert.

ORANGE COUNTY TRACTION.

J. S. KENNEDY, *Secretary,*

Public Service Commission, Second District:

DEAR SIR: June 22, 1908, I made a supplementary inspection of the Orange County Traction Company's system in reference to compliance by that company with recommendations made in a report on a recent inspection of that system, and submit:

Since the date of the report 5000 new ties have been bought and 4000 have been put in the track; 150 new 55-ft. poles have been bought and nearly all

of them have been set. During the summer season the company has had two work trains in operation ballasting tracks, and a maximum of 70 men were employed; the regular track force consists of about 20 men. Eight sets of new switches have been put in and the company has two sets on hand which will be placed in the track in the near future. New rail has been laid in the car barn and on the sidings. The company has on hand one mile of 60-lb. T-rail which will be used for new sidings and a loop in the park. They have also 27 lengths of rolled guard rail on hand to place on curves.

Eleven of the open cars have been overhauled and re-painted. The winter cars are practically new and will not be put in the shop this season.

At East Walden the 150-kw. rotary has been replaced by a 250 kw. The company now has sufficient power available for maximum requirements of operation.

The company has built a new storage car barn, a frame building, 60 x 225 ft., located at Weisners Lane in Newburgh. This barn is equipped with 3 tracks, with a total capacity for 22 cars; there are no pits in it, and for this reason no inspections are made in it. The company's power house barn is equipped with only one pit with a capacity on that track for 3 cars only; there should be another track with a pit under it in this barn to permit of proper inspection of cars. There is sufficient storage capacity for all cars operated at present.

The service has been increased on all the different lines except the Landers Street line. On the Broadway and Heights line cars are operated on a 10-minute headway from 6 a. m. to 11 p. m. On the Bridge line from Renwick and Liberty streets on a 10-minute headway from 6 a. m. to 7 p. m., and from 7 p. m. on a 30-minute headway. On the Orange Lake line the minimum headway has been reduced from 10 minutes to 5 minutes. The company has been enabled to do so from the fact that 5 new switches have been put in and on the 5-minute headway cars meet on every switch. The telephone system has been improved by placing the line on new poles, removing the wires from the poles carrying the high-tension current; this system is now in first-class working order. The train dispatching system in use is defective to the extent that crews do not write the train orders; the company claims that this plan was tried and that the delay caused by this method of handling train orders was such that a 5-minute service on the Lake line could not be maintained.

The track of the main line at present between Newburgh and Walden is in good condition. Considerable work has been done in filling in the long trestle. Guard rails have been placed at different points on the line as directed. A large number of braces have been put on curves. Rails have been turned on curves and new ones put in where necessary. The track of the city line is nearly all in fair condition. The cars are in good condition.

All of the recommendations made in the inspection report have been complied with except the first, which refers to method of issuing and handling train orders.

Respectfully yours,
C. R. BARNES,
Electric Railway Inspector.

J. S. KENNEDY, *Secretary,*

Public Service Commission, Second District:

DEAR SIR: Referring to yours of October 8, 1908, in reference to a communication from F. S. Berry, general manager Orange County Traction Company, which refers to recommendation No. 1 of an inspection report on that company's system regarding train orders, I submit:

At the time of the inspection this matter was discussed with Mr. Berry and the objections to the present method of operation presented, while the difficulties of complying with the recommendation were set forth by Mr. Berry.

The facts in connection with this suggestion are as follows: Orange Lake on the suburban line of this company's system is a popular summer resort; in order to handle the traffic to and from this lake, cars at times must be operated on a 5-minute headway, and in addition, run in sections; they are at present governed by train orders which are not issued and received in an

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approved manner, as set forth in the inspection report. It is a fact that during such times of heavy traffic it is practically impossible to move the traffic on so short a headway and fully comply with all the requirements of proper train dispatching; as Mr. Berry states, I am aware that he has tried to comply with the order, and found that the delays caused by the writing and proper repeating and recording of train orders resulted in serious delay.

While every precaution to insure safety of operation on electric railroads should be taken, and the methods of operation on this railroad are not perfect, the discipline maintained by the general manager of this company and the additional precautions other than train orders taken by him to insure safety are such that I now suggest the withdrawal of order No. 1, referring to train orders on this company's system.

Respectfully submitted,
C. R. Barnes,
Electric Railroad Inspector.

PEEKSKILL LIGHTING AND RAILROAD.

Public Service Commission, Second District:

GENTLEMEN: May 30, 1908, I made an inspection of the Peekskill Lighting & Railroad Company's system, and submit:

The system consists of 10.1 miles of single track and 0.486 mile of second track, all located in the village of Peekskill and the town of Cortlandt except 800 ft. which is in the town of Yorktown; all in Westchester county. On the system there is one undercrossing of steam railroad tracks; there are no grade crossings of steam tracks. There are no bridges or trestles on the road except that the highway through which it is constructed is carried over waterways at two points on arch culverts. The maximum grade on the line is 8.65 per cent. for 800 ft.

There are three operating divisions on this system, viz.: The Mohegan or Main line; the Verplanck line; and the State Camp line.

The Main line extends from the New York Central railroad station in the village of Peekskill to Lake Mohegan, a distance of 4.79 miles. The track on this line from the New York Central railroad station is constructed through private property for 350 ft. to Hudson avenue; 200 ft. on Hudson avenue to South street; through South street to Division street a distance of 3100 ft.; through Division street to Main street a distance of 600 ft.; through Main street to the village line a distance of 8575 ft.; through a continuation of Main street to private right of way a distance of 9925 ft.; through private right of way 1650 ft.; from the private right of way on Main street to Lexington avenue 100 ft.; through Lexington avenue to the terminus a distance of 800 ft. Through Hudson avenue, South street, and Division street the single track is constructed through the center of the street; these streets are paved with brick. Through Main street the track is constructed through the center of the street to Hamilton avenue; from this point it is located on the north side of the street to the private right of way. Main street is paved with brick from Division street to Broad street, a distance of 1300 ft.; Main street from the village line and Lexington avenue are unimproved highways.

On South street there is a second track constructed between Depew and Division streets, a distance of about 536 ft.

The single track of the Verplanck line connects with the Main line at the junction of South and Washington streets and extends through the center of Washington street to Welcher avenue a distance of 6725 ft., through Welcher avenue to the New York and Albany post road a distance of about 2000 ft., through the New York and Albany post road to a private right of way a distance of about 6775 ft., through private right of way to Kings Ferry road a distance of 2500 ft., through Kings Ferry road to Sixth street, a continuation of Kings Ferry road, to the terminus of the road at Broadway, Verplanck, a distance of about 6100 ft. Washington street from South street to Welcher avenue is a macadam improved street; all of the other streets through which the line is constructed are unimproved.

The single track of the State Camp line connects with the Main line at Hudson avenue and Water street, extends through Water street to the power house a distance of 2400 ft.; from the power house it is constructed through Pemart avenue to the terminus, a distance of about 1850 ft. Water street is paved with brick from Hudson avenue to North Main street, a distance of 2000 ft. Pemart avenue extends along the side of the right of way of the New York Central & Hudson River railroad for a distance of about 1000 ft.; the width of this street will not permit the passing of a vehicle and a car, except in places provided for passing. There is a siding extending from this line near the foot of Central avenue to the freight house of the New York Central & Hudson River railroad, a distance of about 350 ft. There is no physical connection between the track of this company and the steam railroad.

The track of this system consists of 56- and 60-lb. T.-rail, 74-, 80-, and 96-lb. girder rail, divided as follows: 0.17574 mile of 76-lb. girder; 0.41010 mile of 80-lb. girder; 0.87396 mile of 96-lb. girder; 8.93681 miles of 56-lb. T; 0.18939 mile of 60-lb. T. The track was laid between the years 1899 and 1903. On the suburban sections the 4-bolt pole splices are used. The original ties, chestnut, 4-in. to 6-in. face, 7 ft. long, are being replaced by the same class of ties 8 ft. long. No ballast except on private right of way, where broken stone and cinders are used.

Private right of way on the suburban line is fenced.

All cars except the express and work cars are equipped with fenders. Incandescent lights; no oil tail-lights are used. All cars are equipped with sand boxes. Wheels, chilled, 33-in., 2½-in. tread, ¾-in. flange, wheel base 6 ft., 6 in. The company has available for winter passenger operation 9 cars; in addition it has 10 open cars. Winter schedule requires 6 cars, summer schedule, 8. Company owns and has available for operation, 18 2-motor equipments. It also owns and has equipped one express car, used in winter as a snow-plow; one work car; also two additional snow-plows fully equipped; one coal car.

On Main street near the village line in Peekskill the company has 2 car barns, both brick buildings, one 70 x 70 ft., the other 70 x 100 ft. One is used as a storage barn and is equipped with 5 tracks with pits under all; in this building there is also a paint shop. The other barn is equipped with 5 tracks with pits under all; it is heated by steam, has a storage capacity for 15 cars; in this barn there are a lathe, drill press, and bench tools, also a vacuum machine for cleaning cars. The company makes light car repairs and winds its own armatures. There is a sand drier in this barn heated by steam.

All cars are inspected in the car barn. The inspection and repair force consists of 3 day men and 1 night man. Cars are inspected as follows: Cars are taken out of service during the daytime at transfer points and taken to the barn and given a thorough inspection each day; cars receive a thorough overhauling at least once a year; proper blanks are used in inspection and repair of cars, and motormen report defective equipment on them; shop records are kept. The master mechanic is responsible for condition of sand boxes. During the past winter all of the summer equipment, 10 in number, was put through the shop, painted where necessary, and all except 2 varnished. It is the company's intention to put through the shop all the winter car equipment this summer; cars to be painted where necessary, and varnished.

Cars are cleaned both night and day so that each car in service is cleaned once every twenty-four hours. A vacuum system is used in cleaning cars, and also disinfectants are used; windows are dry cleaned, cars swept, and cushions dusted daily; cars are washed inside and out, including bodies, windows, and floors, as often as necessary.

At present the company employs a track force of 11 men and a foreman. There is one work car equipped with motors. The company has a gravel bank located near the southern village line about 200 ft. from the siding on the Verplanck line. During the year ending May 1, 1908, the company put in 1619 new ties; there are on hand 1012 ties, and 1000 have been contracted for. In addition to the section force, the overhead is maintained by

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a force of 3 men. The company has a tower wagon for overhead purposes, and in addition the ordinary wrecking tools, jacks, tackles, ropes, etc.

The company owns a power house consisting of a brick building 83 ft., 3 in. by 101 ft., 3 in., located on Water street, on the State Camp branch; this building for railroad purposes is equipped with 2 150-kw. generators, 1 300-kw. rotary converter, and 1 storage battery plant consisting of 284 cells with a momentary capacity of 360 amp. On regular schedule operation 1 150-kw. generator with the storage battery plant is required; the company at present has power and feeder capacity sufficient for maximum operation. During the past season 25,800 ft. of No. 0000 feeder has been placed in position.

This company operates the Putnam & Westchester traction system. In addition to this system the company operates 3 lines of cars. All of the cars except the cars of the State Camp line are operated to and from a common center, which is at the junction of Division and South streets in the central part of the business section of the village. The different lines are known and designated as follows: On the Main line there is a short line operated which is signed "Grant Ave." ; through cars on this line are signed "Lake Mohegan". Cars on the Verplanck Point line are operated between the common center and the village of Verplanck and are signed "Verplanck," all cars running through. The Putnam & Westchester cars operate between the common center and McGregor brook, a distance of about 3 miles, and are signed "Varians Mills". The State Camp line is operated only when the state militia is in camp, usually a period of about three weeks; these cars are signed "State Camp Ferry". All cars carry illuminated front head signs only. The company has a printed schedule for public distribution.

On the main line the first car leaves the railroad station at 6:12 a. m., and cars are operated on a 12-minute headway to Grant avenue until 11:48 p. m.; every third car runs through to Lake Mohegan, the last arriving at Lake Mohegan at 11:42 p. m.

Cars on the Verplanck line are operated from the common center, the first car leaving at 5:55 a. m., and running on a 30-minute headway up to 12 o'clock noon; from 12 o'clock noon to 9:40 p. m. they are operated on 20-minute headway; from 9:40 to 11 o'clock on a 40-minute headway. Varians Mills cars are operated from the common center, the first car leaving at 6:20 a. m.; they are operated on a 40-minute headway until 11 p. m. Additions to this service are made during the afternoon as occasion requires. State Camp Ferry cars are operated on 12- and 24-minute headway as occasion requires, during the time the state camp is occupied.

On the Verplanck line there are two public parks, neither of which is owned by this company. Lake Mohegan is a public summer resort; at this point there is one large hotel and a number of cottages. There are three ball grounds, two on the Verplanck line and one on the Putnam & Westchester. There is at times increased travel to all of these points, to provide for which double-headers are operated; when this is done no "car following" signs are carried, crews being notified by the inspector located at the transfer points.

On the Verplanck line there are 4 turnouts; these are arranged for 20-minute headway.

On the Mohegan Lake line there are 5 switches, arranged for a 12-minute headway.

The company has no book of rules; bulletins are posted. Employees are not required to pass a physical examination. Company has blank application for motorman and conductors. No oil tail-lights are used on cars. During the winter season the company employs on this system about 15 motormen and 15 conductors; the maximum number employed during the season was 20 motormen and 20 conductors; new men are employed each year; during this season all of the extra men put on had previous railroad experience except three. The line is not equipped with a telephone system. No lights are displayed at switches.

The total number of passengers carried during the past year on this system, May 1, 1907, to May 1, 1908, was 1,345,657.

The dangerous features in the operation of this railroad are the heavy grades, especially the one on South street, which is equipped with a derailing switch at the foot of the grade and near the curve at that point. The track from this curve extends to another curve which is about 25 ft. from the track of the New York Central track and level with it; the operation of the derailing switch, however, prevents cars from gaining sufficient headway to be derailed on the latter curve passing over to the steam track. The track and roadbed of this system is in fair condition and a sufficient force is employed properly to maintain it. The cars are all in good condition, clean and comfortable, and present a good appearance. All of the cars operated on the heavy grades of this system are equipped with two independent hand-braking systems. The method of providing for increased travel by running cars in sections is such that collisions may result; when cars are run in this manner all cars followed by another should carry signs, properly illuminated at night, to indicate that fact. The company maintains a waiting room on South street in the village of Peekskill near the transfer point; it is heated and lighted and equipped with toilets.

To increase the safety of operation on this railroad the following recommendations are made:

Recommendations: 1. A stop sign should be placed at the top of the heavy grade on South street, and all cars should come to a full stop before proceeding down the grade.

2. When cars are run in sections all cars followed by another should carry signs, properly illuminated, indicating that fact.

3. When cars are run in sections or when extra cars are run on suburban lines, all cars followed by another should be, during hours of darkness, equipped with oil tail-lights.

4. The company should provide employees with a book of rules.

5. All motormen and conductors employed in the future should be required to pass a physical examination.

6. The Verplanck and Mohegan Lake lines should be equipped with telephone systems, with telephones at all switches directly connected with the company's office.

7. A cluster of lights should be burned at all meeting-point switches.

8. Highway crossing-signs should be placed at all grade crossings of highway outside of village limits.

The company's attention is called to the danger incident to the operation during the fall season, especially on heavy grades, caused by leaves.

Respectfully submitted,

C. R. BARNES,
Electric Railroad Inspector.

PENN YAN, KEUKA PARK AND BRANCHPORT RAILROAD.

J. S. KENNEDY, *Secretary,*

Public Service Commission, Second District:

DEAR SIR: In the matter of the orders and recommendations contained in the report on the inspection of the Penn Yan, Keuka Park & Branchport railway, at this date I find:

Order No. 1: "That the freight motor be equipped with air brakes, and that all foreign cars drawn by it which are equipped with air brakes be coupled up so that the motorman can control the brakes on all of the cars in the train. This order to be complied with within 60 days from the acknowledged receipt." The company has not complied with this order, but I was informed by the officials of the company that it will put on a new freight motor properly equipped with air brakes, this fall, about September 15th.

Order No. 2: "That the pile trestle near Branchport be entirely reconstructed or replaced by a steel structure. This work to be completed not later than May 1, 1908." The company has not complied with this order, but has made some temporary repairs to the trestle by putting in a new stringer on one section of the trestle; safety of operation requires that this order be fully complied with.

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Order No. 3: "That the switch at the ice-house, Hanford's switch, power house switch, and Bluff Point switch, be equipped with derails in such a manner as to prevent cars which may be left on them from running on to the main track. This order to be complied with not later than January 1, 1908." The switch at Bluff Point has been equipped with derails, as ordered; the other switches mentioned should be so equipped.

Order No. 4: "That it prepare in book form and distribute to its employees a proper set of rules. That it prepare a proper running schedule. That it install a proper system of train dispatching. All to be approved by this Commission. This order to be completely complied with before the excursion business of next season commences, May 1, 1908." This has been partially complied with. The company has a proper running schedule and all regular passenger cars are run in accordance with this schedule. The freight running "wild" keeps three minutes off the time of regular passenger trains. On the schedule in effect May 23rd, there is only one meeting point and cars lie indefinitely at meeting point when opposing cars are late, except when they are ordered from the superintendent's office to proceed. When sections are run, a car preceding another carries oil tail-lights. The company has a rule bulletin at the car barn. When more than three passenger cars are in operation on the road, the freight is taken off.

In reference to recommendation No. 1: "That the work of surfacing, aligning, and weeding the track be continued to as speedy a conclusion as possible." The company has at present a section force of 4 men working 10 hours per day, and 2 men working 5 hours per day, surfacing, aligning, and weeding track.

Recommendation No. 2. "That all of the original ties be replaced as soon as practicable." In compliance with this recommendation, the company in 1907 placed 1800 new ties in the track, and since January 1, 1908, has put in 500 new ties and has on hand 1000, which it is expected will be put in this season.

Recommendation No. 3. "That the most careful attention be given the waterways under the track along the lake bank during the spring season and at times of heavy rains." I am informed that this recommendation is being complied with.

Recommendation No. 4: "That oil tail-lights be used on all cars during hours of darkness." Oil tail-lights are used when sections are run. All cars are equipped with arc headlights.

Recommendation No. 5: "That when a car is followed by another, that it be equipped with proper 'car following' signs." I am informed that this recommendation will be complied with this season.

Recommendation No. 6: "That the structures on the line except the pile trestle near Branchport be reconstructed and equipped as suggested in the body of this report, as soon as possible." Some work has been done in compliance with this recommendation. New abutments have been placed on some of the structures. This work should be continued until all of the structures are in good condition.

In addition to the above, about 900 ft. of 60-lb. T-rail "seconds" have been replaced by 70-lb. rail which was removed from the track in Jacobs street in the village of Penn Yan.

Respectfully yours,
C. R. Barnes,
Electrical Expert.

PORT JERVIS ELECTRIC LIGHT, POWER, GAS AND RAILROAD.

Public Service Commission, Second District:

GENTLEMEN: March 12, 1908, I made a supplementary inspection of the Port Jervis Electric Light, Power, Gas & Railroad Company's system, and found that no betterments had been made in track construction or equipment since the date of the last inspection.

Respectfully submitted,
C. R. Barnes,
Electric Railroad Inspector,

PUTNAM AND WESTCHESTER TRACTION.

Public Service Commission, Second District:

DEAR SIR: May 29, 1908, I made an inspection of the Putnam & Westchester Traction Company's system and submit:

The single track of this line extends from the corner of Division and Main streets in Peekskill to the hamlet of Oregon, town of Putnam Valley, a distance of $4\frac{1}{4}$ miles, all located in Westchester county, one mile being in the village of Peekskill. All of the track is on private right of way except $1\frac{1}{4}$ miles which is on street and highways. In the village of Peekskill the track is located through the center of North Division street to the village line. From the village line it extends along the south side of the Peekskill Hollow highway, then on the northern side of the traveled way of a private road, then on private right of way to the terminus at Oregon.

Through North Division street in the village of Peekskill the track is constructed of 7-in. girder rail for 1000 ft.; from the end of the girder rail it is 56-lb. T-rail for one mile; all of the other portions of the track are 60-lb. T-rail. Ties chestnut, 4 to 6-in. face, 2-ft. centers. Rail splices 4 bolts. Short sections of cinder ballast.

Feeder wires are 00 and 0000; trolley wire 00.

The company owns no power house; power is bought from the Peekskill Lighting and Railroad Company.

At present 3 miles of this railroad is operated; cars are run 500 ft. on the track of the Peekskill Lighting and Railroad Company in the village of Peekskill; they are operated from the postoffice to Gregor brook. Between these points there are two turnouts. Cars are run on a 40-minute headway from 6:25 a. m. to 11 p. m. Only one car is required in regular operation. Transfers are given to and from the cars of this company and those of the Peekskill Lighting and Railroad Company.

The track between the postoffice and Gregor brook over which cars are at present operated is in good condition. The car in operation is in good condition and on the date of the inspection it was clean and comfortable. On the section of the road which is not at present operated and on the private right of way there is a grade descending toward Peekskill of $11\frac{1}{4}$ per cent. for 600 ft. with reverse curves at the foot of the grade.

As at present operated there are no dangerous conditions on this part of the line. Cars should not be operated in regular service over that portion of this railroad which is not at present in use, until it and the cars to be used on it have been inspected by a representative of this Commission.

Respectfully yours,
C. R. Barnes,
Electric Railroad Inspector.

ROCHESTER AND EASTERN RAPID RAILROAD.

J. S. KENNEDY, *Secretary,*

Public Service Commission, Second District:

DEAR SIR: June 6, 1908, I made a supplementary inspection of the Rochester & Eastern Rapid railroad and submit:

Since the last inspection 1877 new ties have been put in the track. Work was in progress replacing all of the special work on switches and at the grade crossings of the New York Central tracks in the village of Canandaigua. The company has secured a new gravel bank located at Crossmans pond, ten miles east of Cobbs hill. On the line there are 5 track sections with 30 men employed. No work of ballasting the track was in progress on the date of the last inspection.

The Ontario Light and Traction Company railroad is operated under the same management, and the company on this date was using its work train and gang on the latter railroad. When the work of ballasting is completed on that road, it is the intention to commence ballasting and surfacing the track on this one. The track at present is in fair condition and safe for the character of operation over it. Since the date of the last inspection 6 new pas-

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senger shelter stations have been erected at highway crossings and one is in course of erection at present. When completed there will be 17 shelter stations in addition to 7 passenger stations with ticket offices on the line of this road. In the city of Rochester the company has established a large and commodious passenger station properly heated and lighted and equipped with toilets.

Respectfully yours,
C. R. Barnes,
Electric Railroad Inspector.

ROCHESTER AND SODUS BAY RAILROAD.

J. S. KENNEDY, *Secretary,*
Public Service Commission, Second District:

DEAR SIR: June 5, 1908, I made a supplementary inspection of the Rochester & Sodus Bay railroad in reference to compliance by that company with recommendations made in a recent report on an inspection of that road and submit:

Since the date of the last inspection the company has put in 4995 ties. A large portion of the track has been surfaced and aligned. A considerable amount of ballasting has been done. At present the company is operating a work train and about 40 men are employed in the gravel pits and ballasting the track. The company has three section gangs. The first section extends from East Main street in Rochester to Webster, 12 miles, and 3 miles of second track. On this section there are 6 switches; 17 men and foreman are employed. The second section extends from Webster to Williamson, 12 miles. On this section there are 11 switches; 6 men and foreman are employed. The third section extends from Williamson to Sodus Point, 12 miles; 6 men and foreman are employed. The condition of track and roadbed has been materially improved since the last inspection and on the date of the supplementary inspection the work on the track improvement was still in progress.

In addition to the recommendations contained in the inspection report mentioned, the following recommendation is made:

Recommendation: That the motor car No. 910 used on the work train be equipped with air brake.

Respectfully yours,
C. R. Barnes,
Electric Railroad Inspector.

ROCHESTER, CHARLOTTE AND MANITOU RAILROAD.

Public Service Commission, Second District:

GENTLEMEN: On April 13th I made a supplementary inspection of the Rochester, Charlotte & Manitou railroad, and on that date found that this railroad had been washed out at different places along Lake Ontario, and that operation on it had been abandoned.

From Charlotte to what is known as switch No. 2 the track was in fair condition. Between switches Nos. 2 and 3, a distance of about one mile along the lake front, about 400 feet west of switch No. 2, the track is located on a fill of about 4 ft. above water, and the roadbed was washed out under both rails for 180 feet. At another point between these switches, 330 ft. of track was washed out about half way under both rails, the other half under the lake rail; at Holden farm, 440 ft. of track on the bluff along the lake front with a maximum of 16 ft. above the water, about one-half undermined under both rails; 180 ft. west of the latter, 200 ft. of bank undermined under lake rail on a 12 ft. bank; at Rigney's Bluff, 120 ft. of track washed out to the center. From this point, the track is located on a cut with a sliding clay bank on the south side and about 20 ft. above the water. The track must be moved back from the lake, cutting into the bank on the south side about 15 ft.; Rigney's Bluff, 270 ft. of bank washed so that it is in dangerous condition. Between switches Nos. 3 and 4 at Buck pond, 60 ft. of track washed

out under both rails, track 2 ft. above water; 60 ft. west of the latter point, 150 ft. of track washed out under both rails. Along Buck pond for 800 ft., the track is washed out on the pond side in a number of places.

From switches No. 4 to No. 5 there should be 10 per cent. new ties added.

Between switches Nos. 5 and 6 the track is constructed on a narrow strip of land between Cranberry pond and the lake. This track is washed out under the pond rail in a number of places for about half a mile and for 300 ft. the track is covered with sand 4 to 5 in. deep. On the west end of this strip, 90 ft. of roadbed is entirely washed out. West of Spring Water hotel, 100 ft. of track was washed out under each rail. West of this point the track is covered with sand 6 to 8 in. deep for 600 ft. On the east approach to Braddock's Bay trestle, 150 ft. of roadbed was washed away. The trestle itself was practically destroyed.

Respectfully submitted,
C. R. Barnes,
Electric Railroad Inspector.

ROCHESTER, SYRACUSE AND EASTERN RAILROAD.

Public Service Commission, Second District:

GENTLEMEN: August 10th, 11th, and 12th I made an inspection of the Rochester, Syracuse & Eastern railroad.

This railroad, which is double track, extends from the Culver road in the city of Rochester to Main street in the village of Port Byron, a distance of 57.32 miles, of which 51.61 miles are on private right of way and 5.71 miles on streets and highways. The maximum grade on the line is on the approach to a structure, which is 4 per cent. The line is located in the city of Rochester, the villages of Brighton, East Rochester, and Fairport in Monroe county, the villages of Macedon, Palmyra, Newark, Lyons, Clyde, and Savannah in Wayne county, and the village of Port Byron in Cayuga county. The private right of way, which is fenced with a woven wire fence on cedar posts, varies in width with a minimum of 70 ft. In the village of Fairport west of Main street there are 480 ft. of single track.

The track is constructed on the private right of way of 70-lb. T-rail, and in village streets of 90-lb. T-rail, with continuous rail joints, southern pine ties spaced 2 ft. centers, gravel ballast 6 in. under ties outside of village streets, and crushed stone ballast in villages.

The tracks of this railroad cross the Auburn branch of the New York Central & Hudson River railroad above grade in the village of Brighton, now part of the city of Rochester; the West Shore railroad under grade about one mile west of the village of Fairport; the DeLand siding of the West Shore railroad at grade in the village of Fairport; the Northern Central railway under grade in the village of Newark; the West Shore railroad and main line New York Central & Hudson River railroad above grade at "Blue Cut," about three miles west of Lyons; the main line of the New York Central & Hudson River railroad above grade and the West Shore railroad above grade, both crossings in the village of Savannah.

There are 23 bridges, numbered from Rochester, as follows:

No. 1. Over Auburn branch of New York Central & Hudson River railroad, Brighton: main span 100 ft. through plate girder, with 23 ft. clearance above rails, supported by steel bents resting on concrete pedestals. Easterly approach 380 ft. long; westerly approach 380 ft. long; the approaches consist of 30 ft. deck plate girders, supported by steel bents resting on concrete pedestals, with concrete abutment supports at either end. Alignment 2 degrees 6 minutes curve; maximum grade on approaches 4 per cent.

No. 2. Irondequoit creek at eastern line of the village of East Rochester: 55 ft. deck plate girder, supported by concrete abutments, with 30 ft. clearance above stream; alignment tangent.

No. 3. Thomas creek, about one-half mile east of East Rochester: 60 ft. through plate girder, supported by concrete abutments, with 15 ft. clearance above stream; alignment 4 degrees 30 minutes curve.

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No. 4. West Shore railroad, one mile west of the village of Airport: under-crossing 32 ft. clean span, 20 ft. clearance above rails; alignment R., S. & E. R. R. 10 degrees curve; West Shore R. R. tangent.

No. 5. Crossing of Erie canal about one-half mile east of Airport: 292 ft. pin connected through truss, supported by concrete abutments, with 15½ ft. clearance above water level of canal; alignment tangent; grade 2 per cent.

No. 6. Ganargua creek, about one mile west of Palmyra: 105 ft. half through riveted truss, supported by concrete abutments, with 12 ft. clearance above water; alignment tangent.

No. 7. Vienna street, about one-half mile east of Palmyra: overhead highway bridge, half through riveted truss; one span 75 ft., one span 45 ft., supported by concrete abutments, with intermediate supports of steel columns, with concrete pedestals; clearance above rail, 20 ft.; alignment tangent.

No. 8. George E. Smith's farm lane, about two and one-half miles east of Palmyra: overhead highway bridge; steel beams 20 ft. and 23 ft. long, supported by steel bents, resting on concrete pedestals, with concrete abutments at either end; clearance above rail, 21 ft.; alignment of railroad 4 degree curve.

No. 9. Northern Central railway in village of Newark: through plate girders, supported by stone abutments, spanning Union street.

No. 10. Trout run, one-half mile east of Newark: 30 ft. deck plate girders, supported by concrete abutments; clearance above water, 4 ft.; alignment tangent.

No. 11. West Shore railroad and New York Central & Hudson River railroad at "Blue Cut," about three miles west of Lyons: 248 ft. pin connected through span, supported by concrete pier and concrete abutment, with clearance of 23 ft. above rails; 394 ft. trestle approach on the north, consisting of 64 ft. deck plate girder and 11 30 ft. deck plate girder spans, supported by steel bents, with concrete pedestals; concrete pier at south end and concrete abutment at north end; maximum grade on approach, 3 per cent.; alignment tangent.

No. 12. Trout run, about one mile west of Lyons: 30 ft. deck plate girders, supported by concrete abutments; clearance above water, 4 ft.; alignment tangent.

No. 13. Trout run, about one-half mile west of Lyons: 34 ft. deck plate girders, supported by concrete abutments; clearance above water, 5 ft.; alignment 2 degrees curve.

No. 14. Ganargua creek and Erie canal in the village of Lyons: 184 ft. and 158 ft. pin connected through trusses, supported by concrete abutment and piers, with 15½ feet clearance above water in canal and 30 ft. above water in Ganargua creek; 56 ft. deck plate girder span, supported by concrete pier and steel bent on concrete pedestals; viaduct approach 600 ft., consisting of 30 ft. deck plate girders, supported by steel bents on concrete pedestals, concrete piers, and concrete abutment; maximum grade on approach, 4 per cent.; grade on truss spans, 1 per cent.; alignment tangent.

No. 15. Black creek, about three miles west of Savannah: 28 ft. steel I-beams, supported by concrete abutments; alignment tangent.

No. 16. Grand avenue, Savannah: overhead highway bridge; steel beams 28 ft. and 22 ft. long, supported by steel bents on concrete pedestals and concrete abutments; alignment of railroad 1 degree 30 minutes curve; clearance above rails, 17 ft.

No. 17. New York Central & Hudson River railroad in the village of Savannah: 186 ft. pin connected through truss, with clearance of 23 ft. above rails, supported by concrete abutments; alignment tangent; grade level.

No. 18. West Shore railroad in the village of Savannah: 225 ft. pin connected through truss, with clearance of 23 ft. above rails, supported by concrete abutments; alignment tangent; grade level.

No. 19. Seneca river, about three miles east of Savannah: consists of 28 spans of 54 ft. each; deck plate girders, supported by concrete piers and abutments, with 8 ft. clearance above water; alignment tangent; grade level.

No. 20. Denman highway, about three miles east of Savannah: overhead highway bridge, steel beams 30 ft. and 23 ft. long, supported by steel bents on concrete pedestals and concrete abutments; alignment of railroad, tangent; 17 ft. clearance above rails.

No. 21. Beardsley highway, about 3½ miles east of Savannah: overhead highway bridge, 28 ft., 22 ft., and 20 ft. beams, supported by steel bents on concrete pedestals and concrete abutments; alignment of railroad, tangent; 17 ft. clearance above rails.

No. 22. Erie canal, about two miles west of Port Byron: 128 ft. through truss span, supported by concrete abutment, with 12 ft. clearance above water; alignment tangent; grade 1.5 per cent.

No. 23. Owasco outlet in the village of Port Byron: 86 ft. half through riveted truss, supported by concrete abutments, with 5 ft. clearance above water; alignment 2 degrees 30 minutes curve; grade level.

There are 23 arch culverts, numbered from Rochester, as follows:

No. 1. Allens creek, about two miles east of Brighton, two spans 15 ft. clear span, flat top, reinforced concrete.

No. 2. Branch of Ganargua creek, about 2½ miles east of Macedon, 10 ft. clear span, flat top, reinforced concrete.

No. 3. Brook on Susie Sutton's land, about one-half mile east of Palmyra, 6 ft. reinforced arch.

No. 4. Brook on Seneca Short's land, about one mile east of Port Gibson, 6 ft. reinforced arch.

No. 5. Brook on John Merson's land, about 1¼ miles east of Port Gibson, 8 ft. reinforced arch.

No. 6. Military run, about one-quarter mile west of Newark, 10 ft. reinforced arch.

No. 7. Trout run, about 1¼ miles east of Newark, 10 ft. clear span, flat top, reinforced concrete.

No. 8. Highway crossing about two miles east of Newark, 20 ft. clear span, flat top, reinforced concrete.

No. 9. Highway crossing about 2½ miles east of Newark, 16 ft. clear span, flat top, reinforced concrete.

No. 10. Brook on John L. Cole's land, about one-half mile east of Lyons, 10 ft. clear span, flat top, reinforced concrete.

No. 11. Highway crossing, about one mile east of Lyons, 16 ft. clear span, flat top, reinforced concrete.

No. 12. Cattle pass on Elias Richmond's land, about 1¼ miles east of Lyons, 12 ft. clear span, flat top, reinforced concrete.

No. 13. Highway crossing, about 1½ miles east of Lyons, 12 ft. clear span, flat top, reinforced concrete.

No. 14. Ditch on Henry Lentd's land at Lock Berlin, 10 ft. clear span, flat top, reinforced concrete.

No. 15. Creek on W H Bockoven's land, about one mile east of Lock Berlin, 16 ft. clear span, flat top, reinforced concrete.

No. 16. Melvin brook, about 1½ miles west of Clyde, 16 ft. clear span, flat top, reinforced concrete.

No. 17. Brook on Peter Baggerly's land, about one mile east of Clyde, 8 ft. flat top, reinforced concrete.

No. 18. Cattle pass on M. W. Mead's land, about 1¾ miles east of Clyde, 12 ft. clear span, reinforced concrete.

No. 19. Highway crossing, about four miles east of Clyde, 16 ft. clear span, flat top, reinforced concrete.

No. 20. Black creek, about 1½ miles west of Savannah, 25 ft. clear span, flat top, reinforced concrete.

No. 21. Cattle pass on Gaylord Wood's land, about one-half mile east of Savannah, 10 ft. clear span, flat top, reinforced concrete.

No. 22. Cattle pass on R. E. Houghtaling's land, about 1½ miles west of Port Byron, 12 ft. clear span, flat top, reinforced concrete.

No. 23. Canal feeder in the village of Port Byron, 10 ft. clear span, flat top, reinforced concrete.

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The line is divided into ten sections, and maintained, as follows: 1. Rochester to Irondequoit creek, 6 miles, 8 men; 2. Irondequoit creek to Egypt, 5.5 miles, 8 men; 3. Egypt to east end of Macedon, 5.8 miles, 8 men; 4. Macedon to Smith's bridge, 6 miles, 8 men; 5. Smith's bridge to Newark (Union St.), 6 miles, 8 men; 6. Newark to east end of Lyons, 6.5 miles, 9 men; 7. Lyons to Clyde, 8 miles, 20 men; 8. Clyde to Savannah sub-station, 4.5 miles, 11 men; 9. Savannah sub-station to Seneca river, 4.5 miles, 22 men; 10. Seneca river to Port Byron, 4.5 miles, 20 men. Two extra gangs of 25 and 18 men respectively are employed ditching between Clyde and Port Byron. Flagmen are employed at the "Sink Hole" about three miles east of Clyde, on account of present track conditions. The company owns and uses gravel pits at the following points: Coon pit, about 5 miles west of Macedon; Bird pit, about 1 mile west of Macedon; Brulee pit, about $\frac{1}{2}$ mile east of Palmyra; Horton pit, about $1\frac{1}{2}$ miles east of Clyde; Mesner pit, about $1\frac{1}{2}$ miles west of Savannah; Dolley pit, about 4 miles west of Port Byron.

The company owns available for operation 14 passenger cars, of which 3 are 45 ft. long and 11 53 ft. 6 in. All of the long cars are equipped with toilets, two have baggage compartments, all are center aisle cross-seat, and all are equipped for double end operation. The 3 45 ft. cars are equipped with 4 90 hp. motors. The larger cars are equipped with 4 125 hp. motors. All are equipped with electric heaters, air and hand brakes, and sand blowers; wheels are steel, 37-in. diameter, $3\frac{1}{2}$ -in. rim, 3-in. tread, $\frac{5}{8}$ -in. flange. In addition to the above, the company owns 1 Russell plow, 1 rotary plow, 2 express cars, 1 flat car equipped for line work.

The company's car barn, which is a frame building located at Newark, is equipped with 3 pits with storage for 20 cars. In the car barn there is a shop in which cars are repaired; this is equipped with lathes, drill, shaper, forge, and bench tools. Fifteen men are employed in the car barn; of these 9 work on car repairs and 6 on inspection and cleaning. Every car in service receives a general inspection every night; every fifth day each car is held in the shop and thoroughly inspected. Cars are cleaned every night and swept and windows cleaned; they are washed outside once in two weeks; disinfectants are used in cleaning.

The through cars of this company are operated over the tracks of the Rochester City railway from the common center to Culver road, a distance of 2.6 miles, and limited cars only over the Auburn & Northern Electric railroad and the Auburn & Syracuse Electric railroad from Port Byron to Genesee and North streets, Auburn, a distance of 8.2 miles. Length of through route from Rochester to Auburn, 68.5 miles. The running time of limited trains is 2 hours 30 minutes. Local cars are operated between Culver road and Fairport. Twelve cars are required on regular scheduled operation. On Saturdays and Sundays a 30-minute schedule is run between Lyons and Rochester; when this is done, all of the company's cars are in use. Ticket offices and station agents are maintained at Culver Road, East Rochester, Fairport, Macedon, Palmyra, Port Gibson, Newark, Lyons, Clyde, Savannah, and Port Byron. There are 44 flag stops maintained at the principal highway crossings. Thirty of these stops are provided with shelters and 14 with landing platforms; these shelters are octagonal in form and 10 ft. inside, and are lighted and heated with electricity and provided with signals for use of passengers in flagging cars. Connection is made about $1\frac{1}{2}$ miles east of Newark with the tracks of the West Shore railroad.

Construction work was started between Lyons and Rochester in August, 1904, and line completed and operation started as follows: Newark to Macedon, July 2, 1906; Newark to Egypt, August 6, 1906; Lyons to Fairport, August 18, 1906; Lyons to Despatch, September 1, 1906; Lyons to Brighton, September 8, 1906; Lyons to Culver Road, September 14, 1906. Construction work was started between Lyons and Port Byron in May, 1906, and line completed and operation started as follows: Rochester to Clyde, September 1, 1907; Rochester to Savannah, June 27, 1908; Rochester to Port Byron, July 23, 1908.

The power house is located along the New York Central track about three-fourths of a mile east of the village of Lyons and is a brick building 220 by

125 ft. The equipment consists of 2 1500 kw. Westinghouse-Parsons turbo-generators, running condensing, the steam for the turbines being supplied by 6 Heine safety water tube boilers rated at 350 hp. each, each boiler being equipped with a Heine superheater. The plant is equipped with the usual number of pumps, condensing apparatus, etc., and also feed water heaters and a fuel economizer. The station also contains 2 400 kw. rotary converters which supply direct current to the section of road in the vicinity of Lyons. The current is generated at 3300 volts, 2-phase, and is transformed to 33,000 volts, 3-phase, for supplying the transmission line. The coal for the power house is delivered on a trestle connecting with the New York Central tracks immediately in the rear of the power house, and about 75 per cent. of the coal is dumped through this trestle to storage bins, the balance being shoveled from cars into the chutes leading into the unoccupied part of the boiler room; the coal is then wheeled from storage to space in front of the boilers. At the present time only one-half of the power house building, both engine room and boiler room, is occupied by apparatus.

Rotary converter sub-stations are located at East Rochester, Macedon, Savannah, Port Gibson, and Port Byron. The equipment of the East Rochester and Port Byron sub-stations consists of 2 500 kw. rotary converters and 4 200 kw., 33,000 to 390 volt transformers. The equipment at each of the Macedon, Port Gibson, and Savannah sub-stations consists of 2 400 kw. rotary converters and 4 150 kw. 33,000 to 390 volt transformers and the necessary switchboards and apparatus. The dimensions of these sub-station buildings, which are all alike, is approximately 58 by 70 ft., all being built of brick, with concrete floors, and overhead cranes for handling the apparatus.

The transmission line at present extends from East Rochester to Port Byron and is approximately 55 miles long; it follows the track at nearly all points east and west from the power house, with the exception that it passes around and outside of the corporation limits of the villages of Newark, Palmyra, Macedon, and Fairport, at which points it is located on private right of way approximately 20 to 30 ft. wide. The line is in duplicate, there being 2 3-phase circuits entirely separated from each other on separate lines of poles at all points, the transmission wire being No. 2 hard drawn copper. The transmission voltage is 33,000 volts. In the village of Lyons the transmission line leaves the power house and for a distance of approximately one-half mile follows the line of Shuler street through the village to the company's right of way west of the village.

The track, roadbed, and structures on this railroad are first class. The structures are all of sufficient strength with a large factor of safety for the loads which pass over them. The company employs a sufficient track force properly to maintain the track and roadbed. The cars are all new and are properly maintained. Agents are maintained in all of the large villages on the line; and at all of the important flag stations neat and comfortable shelter stations are provided, which are lighted and in most cases heated. The company has a sufficient and reliable power supply.

There are no conditions existing on this railroad, nor are there any defects in the methods of operation on it, which require action on the part of this Commission, except that the suggestion is made that all through cars operated should be equipped with toilets.

Respectfully submitted,
C. R. Barnes,
Electric Railroad Inspector.

SYRACUSE, LAKE SHORE AND NORTHERN RAILROAD.

Public Service Commission, Second District:

GENTLEMEN: Supplementing previous inspection reports on the Syracuse, Lake Shore & Northern railroad, I submit:

This company has completed the construction of its line between Long Branch and Baldwinsville on private right of way; operation on the new portion commenced January 25, 1908. This construction eliminates the use

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of the Stiles bridge, which in a previous inspection report was considered as not in first-class condition.

The company has not complied with the recommendation that a double track structure be placed over the freight tracks of the New York Central & Hudson River railroad and the double track continued at this point.

Respectfully submitted,

C. R. BARNES,
Electric Railroad Inspector.

TARRYTOWN, WHITE PLAINS AND MAMARONECK RAILROAD.

WESTCHESTER ELECTRIC RAILROAD.

WESTCHESTER TRACTION RAILROAD.

Public Service Commission, Second District:

GENTLEMEN: Partial inspection has been made of the Tarrytown, White Plains & Mamaroneck railroad, Westchester Electric railroad, and the Westchester Traction railroad.

On account of the material betterments being made on these roads at the time of the inspection, reports on them have not been made, pending supplementary inspections which will be made in the near future.

Respectfully submitted,

C. R. BARNES,
Electric Railroad Inspector.

WALLKILL TRANSIT RAILROAD.

J. S. KENNEDY, *Secretary,*

Public Service Commission, Second District:

DEAR SIR: June 20, 1908, I made a supplementary inspection of the Wallkill Transit Company's system in reference to recommendations contained in an inspection report on that railroad and submit:

On this date no additions have been made to car barn as suggested; no change has been made in the feeder wires on the private right of way; the company has not installed a telephone system; it has no running schedule; there is no dispatching system in use; no signals are carried on cars when they are run in sections; no highway crossing-signs have been put up; the company has, however, placed clusters of lights at four of the important highway crossings. All of these improvements were recommended in the inspection report; and these recommendations should be complied with. A detailed report on the condition of cars based on a special inspection of them recently made has been submitted. About 400 new ties have been put in the tracks. Weber joints have been put in the track on all curves, and about 75 rail braces added. Considerable work has been done clearing right of way. The company has had the State Hospital bridge examined by a bridge expert and informed me that a copy of his report will be sent to the Commission. A city light has been placed at the highway crossing at Ryerson's bridge, as suggested. About two miles of fencing has been done, with wire on hand to complete the other portions, and this, I am informed, will be done in the near future.

Safety of operation on the railroad requires that the above mentioned recommendations contained in the inspection report should be complied with.

Respectfully yours,
C. R. BARNES,
Electric Railroad Inspector.

66 Public Service Commission, Second District

WEATHER AND ICE AND PREVENTATIVE MEASURES

Public Service Commission, Second District:

Sir: On September 24, I made a supplementary inspection of the New York & Hudson River Railroad, and submit:

In this case I found that at the time when the accident occurred at a crossing between the Bronx and Bronx Park lines, the Bronx Park line was at the time of the accident on the Bronx Park line. It removed the wooden crossing bridge at the corner of Bronx Park and Bronx Park Avenue, in favor of the steel bridge on the Bronx Park line. It is believed the derailment of the Bronx Park line car was caused by the removal of the steel bridge. The cars of the Bronx Park line are operated in pairs, and the signals have been placed at a half way distance on the Bronx Park line, so the structure at Bronx Park street has been red and white a distance apart. Interurban cars have been equipped with air brakes, and these cars have been equipped with portable telephones, and there is a block connection at each turn of switch and every half mile between stations; when cars or trains are off schedule time, they call the superintendent's office and receive orders governing their movements.

Respectfully submitted,

C. R. BARNES,
Electric Railroad Inspector.

YONKERS RAILROAD.

J. B. KEYNSY, Secretary,

Public Service Commission, Second District:

Dear Sir: On September 24, 1904, I made a supplementary inspection of the Yonkers railroad, and submit:

July 15, 1904, this company opened a new line of traffic, cars on which are operated from the foot of Main street in the city of Yonkers to the Sawmill river road, a distance of three miles. These cars run from the foot of Main street in the city of Yonkers through New Main street, Nepperhan avenue, Elm street, Walnut street, Sawmill river road to the terminus, where they connect with the cars on the Tuckahoe line. These cars are operated on a 15 minute headway. Transfers are given to the Mount Vernon and Tuckahoe lines, outbound, and all lines in the city of Yonkers, inbound. All of the cars operated on this line are equipped with air brakes and sand boxes.

On McLean avenue for a distance of about 1800 ft., the company has moved the tracks from the side to the center of the road; along this distance the overhead structure has been rebuilt with new poles and span wires. A new siding 320 ft. long has been constructed at the terminal of the King's Bridge subway on Broadway at 242nd street. A new siding has been put in on the Mount Vernon line, known as Valentine's Hill switch. A new meeting switch has been put in on the Hastings line on Warburton avenue at Ashburton avenue; on this line on the viaduct, for a distance of 600 ft., the track has been reconstructed with 90 lb. girder rail laid in concrete. New special work has been put in at the corner of McLean avenue and Webster avenue. A new curve has been put in on the Tuckahoe line at the corner of Lake and Nepperhan avenues. On the Elm street line, new special work has been put in at the corner of Elm street and Nepperhan avenue, Yonkers avenue and Walnut street, and Walnut street and Sawmill river road. During the past summer season the company has maintained a track force of 10 men. In addition to the regular force, a large amount of repair work has been done by contract.

On the date of the inspection, 8 of the old cars had been equipped with air brakes and the 15 new ones which have been received are also equipped with air brakes, making a total of 23 cars equipped with air brakes out of 58 required in regular winter operation. The company has ordered two snow sweepers which it is expected will be received for this winter's operation.

Respectfully submitted,

C. R. BARNES,
Electric Railroad Inspector.

APPENDIX O.

REPORTS OF INSPECTORS OF STEAM RAILROADS FOR YEAR ENDED
DECEMBER 31, 1908.

APPENDIX O.

ADIRONDACK AND ST. LAWRENCE RAILROAD.

Inspected November 3, 1908. Last previous inspection July 24, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Adirondack & St. Lawrence railroad, and respectfully submit the following report:

The Adirondack & St. Lawrence railroad connects with the Rome, Watertown & Ogdensburg division of the New York Central & Hudson River railroad at DeKalb Junction and extends to Hermon, a distance of 3.80 miles, single track, and has 1.50 miles of sidings and yard tracks. The general alignment of the road is fair, and most curves are light; there is, however, at Stellaville a curve of 12 degrees. The grades are steep and very much broken; the maximum is 237 feet per mile, for about a-quarter of a mile, near Stellaville. The cuts and embankments are of fair width and proper slopes. The ditches are in good condition.

There is but 1 iron bridge: a lattice girder deck about 54 ft. in length resting on double timber bents; at each end of the bridge there are 3 spans of timber trestle of hemlock; the bridge is in good condition; the timber of the bents and also of the trestle at either end of the bridge is sound; the ties used are of less than standard dimensions, being 6 x 6 in., but they are sufficient for the class of motive power and rolling stock used and are in sound condition. Inside guard rails are maintained. There is a framed bent trestle near Stellaville consisting of 9 spans, of hemlock timber, in sound condition, with proper ties and guard timbers; no inside guard rail. There is 1 cattle pass, with dry masonry and timber stringers: the masonry is in very poor condition and should be rebuilt promptly; the stringers, ties, and guard timbers are of standard dimensions and are sound. There is one open culvert of 15-ft. span, constructed entirely of timber: the timber abutments are in good condition; stringers, ties, and guard timbers of standard dimensions; but an additional stringer should be put in on account of the long span. There are no arch culverts. The box culverts and iron-pipe drains are in proper condition.

The cross-ties are about 70 per cent. cedar, 20 per cent. hemlock, and 10 per cent. spruce. The standard dimensions are 6 x 8 in. 8 ft. in length, and they are laid at the rate of 2992 to the mile of track. They are in good condition, fairly well spaced and full spiked. The track is laid with 60-lb. steel rail, connected by angle plates 24 in. in length with 4 bolts. The rail is in fair condition for the light traffic and moderate speed maintained. All the connections are full bolted and bolts tight.

The main-track switches are split point and have rigid stands with proper targets. Night trains are not operated. The frogs are rigid and in good condition. Some places were noted where derailing switches should be put in on account of cars being left standing where the grade descends toward the main track.

The track is fairly well ballasted with stone screenings from the mine located at Stellaville. The alignment and surfacing are very good and the outer rail on curves properly elevated for the speed at which the trains run. The track is maintained by a force consisting of a foreman and from 4 to 10 laborers, the variation being on account of more or less extra work being required at and about the mines. The track is patrolled daily by some member of the section force.

The right of way is clear and clean and fenced with wire, which is in good condition. The highway grade crossings, of which there are three, are properly graded, planking in good condition, and protected by signs of the

closed form. It was observed that owing to one being properly set the signs were leaning, they should be replaced. No cattle guards are maintained by the train operator on the road; therefore a fence system is not necessary.

The only station on the road maintained by the company is at Hermon. It is a combination frame building of fireless construction and properly furnished. The principal repairs and improvements made as made since the last inspection are as follows: One timber box culvert has been replaced with stone and concrete, about 16 per cent. of the crossings have been renewed, nearly the entire road has been re graded with stone screenings, and the alignment and grading of track greatly improved.

Recommendations: That the new oak tree on road in fair condition be filled or repaired with permanent stringers before very long; that the roadway to the cattle pass be repaired so that an additional stringer on either side be put in at each end of the crossing; that cattle guards be maintained at each boundary of the big ways crossed at grade; and the leaning crossing signs be properly sighted.

Respectfully submitted,

J. D. SHULTZ,
Steam Railroad Inspector.

BATH AND HAMMONDSPORT RAILROAD.

Inspected September 22, 1908. Last previous inspection September 3, 1906.
To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Bath & Hammondsport railroad, and respectfully submit the following report:

The Bath & Hammondsport railroad is a single-track, standard-gauge road extending from a connection with the Rochester division of the Erie railroad at Bath to Hammondsport on Lake Keuka, a distance of 9.33 miles, with about one mile of sidings and yard tracks. The general alignment of the road is fair, and the few curves are light. The grades are steep and regular, a generally descending grade towards Hammondsport with a maximum of 152 ft. per mile. The roadway is well graded, cuts and embankments of fair width, and the drainage system good. There are one or two places where there are springs in the roadbed, which would be greatly improved by some method of underdraining.

The only bridge is one of 3 spans of about 15 ft. each, with two 15-in. I-beams under each rail. The abutments and piers are low and are in fair condition. The ties and guard timbers are in good condition.

There are 22 open culverts or cattle passes. One has two 15-in. I-beams under each rail, with rubble masonry abutments in fair condition; 9 have wooden stringers with rubble masonry abutments; 7 have wooden stringers with timber abutments; 5 have iron rails with either rubble masonry or timber abutments. The rubble masonry is constructed of small stone, generally in fair condition. The second and fourth openings from Hammondsport have masonry which will require attention, probably next season. The ties and guard timbers are in good condition. The guard timbers on many of the structures are not notched to receive the ties and therefore do not afford as much protection as they should. There are no arch culverts, and the box and pipe culverts are apparently in good condition.

The cross-ties are nearly all white oak, 6 x 8 in. 8 ft. in length, and are laid at the rate of 2640 to the mile of track. They are well spaced, full spiked, and in fair condition; some renewals needed.

The track is laid with 60-lb. rail, connected by angle plates 24 in. in length with 4 bolts. The rail is in fair condition, the connections full bolted, and no loose bolts were observed.

Main-track switches are split point, and have rigid stands with proper targets. Main-track frogs are spring rail; no derailing switches required.

The track is ballasted with gravel and cinders in medium quantity. The alignment and surfacing are good, with the proper elevation being given to the outer rail on curves. The section force consists of one foreman and four laborers.

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One freight track of the Rochester division of the Erie railroad crosses at grade near the terminal at Bath. The crossing is unprotected, but as a switch must be thrown in the adjoining Erie track to use this crossing, and as all trains move very slowly at this point, there is little if any danger.

The right of way is free from trees and brush and is well fenced with wire, in fair repair. Mile-posts are not maintained.

The highway crossings are well graded and properly planked; they are protected by signs of the banner form, which in most cases are in need of re-painting. The cattle guards are wooden slats, in good condition except at one or two crossings where they are missing. Whistle-posts are properly located.

The Erie railroad station is used, at Bath. At Hammondsport there is a frame, combination station, with offices of the company in second story. There is also a small frame station at Rheims. The buildings are in fair repair and properly furnished.

About 1500 cross-ties have been put in track since last inspection.

Recommendation: That renewals be made to cross-ties where necessary, and that the highway crossing-signs be re-painted.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

BOSTON AND MAINE RAILROAD.

Inspected December 1 and 2, 1908. Last previous inspection July 17 and 18, 1909.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Boston & Maine railroad, and respectfully submit the following report:

The main line of the Fitchburg division of the Boston & Maine Railroad in New York state extends from the Vermont-State line to a connection with the West Shore railroad at Rotterdam Junction, all double track excepting for about $\frac{1}{2}$ mile at the crossing of the Mohawk river near Rotterdam Junction; about 6.94 miles of the second main track between Coons and Crescent is owned by The Delaware and Hudson Company and is operated jointly as a double-track by the two railroad companies. From Johnsonville east the main tracks are widely separated for most of the distance, having originally been two separate railroads. The Troy branch is a double-track road extending from Johnsonville to Hoosick street, Troy. The Saratoga & Schuylerville branch extends from Mechanicville to Saratoga, and from Schuyler Junction to Schuylerville, all single track. The Bennington branch extends from a connection with the main line at Hoosick Junction to the Vermont-State line.

There are 247.02 miles of track in this State, divided as follows: Main line: 54.74 main track, 48.53 second main track, 64.71 sidings and yard tracks; Troy branch: 15.55 main track, 15.55 second main track, 10.39 sidings and yard tracks; Saratoga & Schuylerville branch: 25.82 main track, 5.34 sidings and yard tracks; Bennington branch: 5.04 main track, 1.35 sidings and yard tracks. The main line mileage includes 1.05 trackage rights on D. & H. Co.'s railroad for both main and second tracks. The general alignment is good, and most curves are light; the grades are generally light and regular. There is a 9 degree curve at Hoosick Falls on the main line; one of 3 degrees at Lansingburgh on the Troy branch; one of 6 degrees between Saratoga and Northumberland on the Saratoga & Schuylerville branch; and one of 4 degrees at North Hoosick on the Bennington branch. On the main line near Usher there is a maximum grade of 33.3 ft. per mile for 3.41 miles; at Lansingburgh on the Troy branch, 39.6 ft. per mile for 5.64 miles; at Stillwater on the Saratoga & Schuylerville branch, 68.64 ft. per mile for 2.7 miles; and one mile west of White Creek station on the Bennington branch, 48.6 ft. per mile for 0.47 mile. The roadway is generally well graded; cuts and embankments of full width and drainage system good.

All bridges in the roadway of the main line are of steel or iron, in good condition, and properly painted, and have standard floor systems well main-

tained except as here noted: bridges Nos. 275, 293, 296, 221, and 233 should have renewals made to ties and guard timbers. The steel and iron bridges on the branch line are in good condition and well maintained. On the Bennington branch renewals should be made to ties and guard timbers on bridges Nos. 485, 487.

On the Bennington branch there is a wooden Howe truss deck bridge of 2 spans which, while it has been in use for a long time, is in good condition; the trusses have been reinforced by a timber arch extending across the two spans, and bridges are covered. The other wooden bridges are those carrying highways and farm crossings over the roadway. These as well as the iron bridges have warnings set at the proper distance from bridge when the clearance is less than the standard height above track.

The only timber trestle in the main line is at Johnsonville, where there is a 7-span framed bent trestle, is good condition. On the Saratoga & Schuylerville branch there are 10 pile and framed bent trestles, 2 of them of 2 spans, and the longest 782 ft. in length. Some repairs should be made to corbels and stringers in the Saratoga Lake trestle, and some renewals made to ties and guard timbers on the 2-span trestle No. 545, and to caps on No. 539.

All open culverts and cattle passes on the main line have I-beam or built girder stringers and masonry abutments; they have standard ties and guard timbers and are well maintained. No. 227, however, should have masonry rebuilt and renewals made to cross-ties. There are no open culverts or cattle passes on the Troy or Bennington branches. On the Saratoga & Schuylerville branch about two-thirds of the open culverts and cattle passes have I-beam or plate girder stringers and masonry abutments; the remainder, about ten in number, have timber stringers, and abutments of pile or framed bents or solid timber. The masonry is in good condition, and most of the timber structures are well maintained. On many of the structures the ties and guard timbers are getting old, and renewals should be made to ties and guard timbers on No. 508, and to ties or guard timbers on the 1st, 3d, 6th, 7th, and 11th openings beyond; and on Nos. 544 and 546-A. Cattle pass No. 518, constructed entirely of timber, should be rebuilt; No. 538 should have renewals made to timber in abutments; the cross-ties on No. 542 are too short to permit the use of guard timbers. On that portion of the line between Schuyler Junction and Saratoga Springs new ties and guard timbers should be placed on Nos. 530 and 536, and guard timbers on No. 532. The arch, box, and pipe culverts are apparently in good condition.

The cross-ties in the main and branch lines are about 75 per cent. chestnut, 20 per cent. cedar and hard pine, and 5 per cent. oak; the standard dimensions are 6 x 6 in. (and up), 8 ft. in length; they are laid at the rate of 2992 to the mile of track, are well spaced, full spiked, and in good condition. About 118,000 cross-ties, or about 18 per cent. of all the ties in the track, have been renewed since last inspection (July, 1907).

On the main line first and second tracks, 90.40 miles are laid with 85-lb. steel rails, 7.10 miles with 76-lb., 2 miles with 72-lb., and 1.67 miles with a mixed rail; the Troy branch, 7.10 miles with 76-lb., and 24 miles with 75-lb.; the Saratoga & Schuylerville branch main track, 7.78 miles with 76-lb., and 18.04 miles with 60-lb.; on the Bennington branch main track, 2.72 miles with 76-lb., 2 miles with 72-lb., and 0.32 mile with 60-lb. The joint connections of the main-line tracks are 70.71 miles of 24-in. 4-hole Weber joints, and 23.18 miles of 24-in. 4-hole continuous joints, the balance 24-in. 4-hole angle bars, 24-in. 4-hole Fisher joints, and 24-in. 4-hole Fish plates; the Troy branch, 24 miles of 24-in. 4-hole Weber joints, and 7.10 miles of 24-in. 4-hole Fisher joints; the Saratoga & Schuylerville branch, 7.86 miles 24-in. 4-hole Weber joints, and 17.96 miles of 24-in. 4-hole Fish and mixed plates; on the Bennington branch, 4 miles of 24-in. 4-hole continuous joints, and balance 24-in. 4-hole Weber and angle bars. On the main line 6.63 miles of 85-lb. and 0.85 miles of 75-lb. rail have been laid since last inspection, replacing 0.46 miles of worn 85-lb. and 7.02 miles of 76-lb. rail. On the Troy branch the new second track has been laid with 75-lb. rail. The rail is in good condition, all connections are full bolted, and few loose bolts were observed.

All main-track switches are split point and have automatic stands, with targets well painted. Switch and semaphore lights show red for danger and white for safety. All main-track frogs except a few on the Saratoga & Schuylerville and Bennington branches are spring rail. Derailing switches are in all sidings where their use appears necessary.

The track of main line, Troy and Bennington branches, is mainly ballasted with a fair quantity of gravel. The Saratoga & Schuylerville branch is ballasted with cinders and gravel and generally light. The alignment and surfacing of the track are good and the outer rail on curves properly elevated. The track sections on main line average about 3.6 miles in length, and the force employed on each consists of a foreman and 5 laborers; on Troy branch, 3.1 miles, with foreman and 6 laborers; on Bennington branch, 5 miles, with foreman and 5 laborers; and on Saratoga & Schuylerville branch, 7½ miles, with foreman and 4 laborers. Each gang is furnished with flags, lanterns, fuses and torpedoes, and all portions of the road are patrolled daily by some member of the section force. An inspector of bridges is employed, who devotes about one-half of his time to the inspection of bridges in the State of New York.

The following named railroads are crossed at grade: Three tracks of The Delaware and Hudson Company's railroad by a freight yard track at Mechanicville: the crossing is protected by an interlocking plant. At Petersburgh Junction, one track of the Rutland railroad by two tracks of the Boston & Maine: the crossing is protected by an interlocking plant; some of the bolts in the crossing frogs are broken and loose and should be repaired. At Hoosick Falls, one track of the Bennington & Hoosick Valley railway (electric) is crossed by the main track and two sidings: the sidings have "jump" crossings; there is trough protection over the trolley wire, but no derails in the electric railroad track; a flagman is stationed at this crossing (River street) night and day, and gates are maintained.

Interlocking plants are maintained at the following points: At Petersburgh Junction, governing grade crossing of main line and the Rutland railroad; at Hoosick Junction, governing crossover movements; at Johnsonville, governing the junction of the Troy branch and the Greenwich & Johnsonville railroad with the main line.

The following plants are maintained and operated by The Delaware and Hudson Company, the Boston & Maine Railroad paying one-half the expense:

At Mechanicville station, governing junction of main line with The Delaware and Hudson Company's tracks; at west end Mechanicville yard, governing junction of main line with The Delaware and Hudson Company's tracks; at Crescent, governing junction of main line with The Delaware and Hudson Company's tracks.

The following plant is maintained and operated by The New York Central and Hudson River Railroad Company, the Boston and Maine Railroad paying one-half the expense: At Rotterdam Junction, governing junction of main line and the New York Central & Hudson River railroad.

The right of way is clear and clean. Fences are of wire and are generally in good condition; 2 miles of new wire fence has been erected on the main line and 6.9 miles on the Troy branch since last inspection. Mile-posts are maintained.

The highway crossings are well graded, properly planked, and are protected by signs of the finger-board design, properly placed and generally well painted. On the main line, 4 crossings are protected by flagmen and 11 by flagmen and gates; on the Troy branch, 3 are protected by flagmen and 3 by electric bells: all other crossings, 75 in number, are protected only by crossing signs. Wooden-slat cattle guards with proper guard-fences are maintained at the crossings, except where the track is maintained by The Delaware and Hudson Company and operated jointly by the two companies between Coons and Crescent and where guards are not maintained.

Whistle-posts are maintained at the proper distance from highway crossings.

The movements of trains are governed by the telegraphic train-order block system; between Johnsonville and Crescent automatic electric two-block signals are now in operation. The work of installing them on the remainder

of the road is now going on, and it is expected that within a year all the main line will be protected by automatic signals.

The station buildings are well maintained and properly furnished. Platforms are of plank, concrete, or gravel, and are in good condition. At East Schaghticoke repairs should be made to the roof, and to floor of waiting room. At Hoosick Junction the door leading to ladies' toilet opens inward, and just inside of door is a downward step which is dangerous and should be removed. Schuylerville station was being overhauled at time of inspection; the building had been raised, new foundations were being built and a new floor being laid.

Bridge 492, 120-ft. span, has been replaced by a concrete and stone arch since last inspection; bridges 493 and 495, framed trestle structures carrying highways over the roadway, have been replaced by timber stringers on concrete abutments; on the Troy branch, bridges 494, 496, and 497 have had masonry extended and repaired, and main line bridges 259, 261, and 262 have had repairs made to masonry; a new and up-to-date passenger station has been built at Lansingburgh; 2 miles of new wire fence on main line and 6.92 miles on Troy branch have been constructed; a number of sidings on main line and Troy and Saratoga branches have been extended or constructed: main line, length, 3.14 miles; Troy branch, 2.63 miles; and Saratoga branch, 0.59 mile. The second track on Troy branch has been completed and been put in operation; the station tracks at Johnsonville rearranged to bring all train movements under the control of the interlocking plant which was erected in connection with the double tracking of the Troy branch; this arrangement has abolished the grade crossing of the Greenwich & Johnsonville railroad with the eastbound main track. The work of abolishing the highway grade crossing at Tarbell's crossing just north of Lansingburgh has been commenced and will be finished probably next spring. About 118,000 cross-ties have been renewed, and 8.4 miles of track laid on Troy branch.

Recommendations: That renewals be made to ties and guard timbers on bridges 221, 233, 275, 293, and 296 on main line; and Nos. 485 and 487 on Bennington branch; that repairs be made to timber trestles as noted in this report; that the masonry to cattle pass No. 227 be rebuilt, and repairs and renewals be made to open culverts and cattle passes on the Saratoga and Schuylerville branch as noted in this report; and that repairs be made to East Schaghticoke station.

Respectfully submitted,
E. F. VAN HOESSEN,
Steam Railroad Inspector.

BUFFALO AND SUSQUEHANNA RAILWAY.

Inspected August 18 and September 21, 1908. Last previous inspection September 20 and 21, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Buffalo & Susquehanna railway, and respectfully submit the following report:

The Buffalo and Susquehanna Railway Company operates in this State the following lines: The Buffalo & Susquehanna railway, main line, single track, from a connection with the Lake Shore & Michigan Southern railway at Blasdell to Wellsville, with a branch track from Springville Junction on main line to Springville; the Wellsville, Coudersport & Pine Creek railroad, single track, from a connection with the Buffalo & Susquehanna railway at Wellsville to the Pennsylvania-State line at Genesee; the Addison & Susquehanna railroad, single track, from a connection with the Erie railroad at Addison to the Pennsylvania-State line near Nichols.

The Buffalo & Susquehanna railway, main line, has 83.40 miles main track, with 12.73 miles sidings and yard tracks, supplemented by 1.36 miles on Springville branch, 0.45 mile on South Buffalo branch, and 0.48 mile on Erie branch at Hamburg; the Wellsville, Coudersport & Pine Creek railroad 10.11 miles main track, with 2.87 miles sidings and yard tracks; the Addison &

Susquehanna railroad 9.73 miles main track, with 2.16 miles sidings and yard tracks.

The general alignment of the Buffalo & Susquehanna railway is good from Buffalo to a point east of Arcade; from that point to Wellsville the route is circuitous. The curves are generally light, with a maximum of about 6 degrees. The grades are generally light and regular, with a maximum of about 69 ft. per mile for four-tenths of a mile near Blasdell. The Wellsville, Coudersport & Pine Creek railroad is quite crooked, with light grades. The maximum curve is 12 degrees, and the maximum grade 20 ft. per mile. The Addison & Susquehanna railroad is very crooked, with many sharp curves; maximum 20 degrees, near Freeman. The grades are long and regular, with a maximum of 53 ft. per mile.

The Buffalo & Susquehanna railway, which is a comparatively new road, is fairly well graded. There are a number of cuts through material of a clay and quicksand nature, where slopes are sliding and material has filled the ditches. These cuts should be widened. There are also some embankments made of the same class of material which need additional widening. The ditches generally need attention and should be cleaned and opened. The Wellsville, Coudersport & Pine Creek railroad has a few narrow side cuts that need widening. The embankments are of fair width, and ditches in fair condition. The Addison & Susquehanna railroad is fairly well graded. Some ditches require cleaning and opening.

The Buffalo & Susquehanna railway's steel and iron bridges are new and in good condition. There are 26 structures, with a total of 41 spans. All have good concrete masonry, and standard ties and guard timbers. Inside guard rails are maintained on some of the structures. On 2 of the structures, which have solid floors, the rails are fastened to the structure by iron clips, and at the time of inspection many of these were loose and insecure; some form of nut lock, or a different style of clip, should be used. The Pennsylvania railroad, Buffalo division, crosses overhead at a point near Arcade, protected by warning signal; and there is a temporary overhead bridge of steel girders on bents where the new line of the Erie railroad crosses, near Belfast. There is one steel viaduct, about 800 ft. in length, near Caneadea; attention was called to guard timber not being securely bolted, otherwise structure was in good condition. The Wellsville, Coudersport & Pine Creek railroad has 2 iron bridges with a total of 3 spans; they have stone masonry, standard ties and guard timbers, and are in good condition. The Addison & Susquehanna railroad has 2 iron bridges with a total of 3 spans; the bridge across the Canisteo river at Addison had chord bars bent by an ice freshet several years ago, but the strength of the structure has not apparently been impaired; both bridges have good masonry, standard ties and guard timbers, and are in good condition. There are no wooden bridges in the roadway of any of the lines. There are 4 iron bridges with concrete masonry, and 2 wooden bridges, at the overhead highway and farm crossings on the Buffalo & Susquehanna railway. The Addison & Susquehanna railroad has one overhead crossing, with wooden bridge.

The Buffalo & Susquehanna railway has 11 trestle structures in the roadway, 2 of them being on the Springville branch; most of them have pile bents, a few have framed bents; they are of standard construction and in good repair. There is 1 long trestle, consisting originally of 190 spans, at Blasdell; a portion of this trestle is now being filled. There are 2 trestles of 14 spans each, 4 of 8 spans each, and 4 of 4 spans or less. The Wellsville, Coudersport & Pine Creek railroad has 8 trestles with pile or framed bents, the longest consisting of 5 spans; they are generally in good condition. Numbering the openings from Wellsville, Nos. 1 and 5 should have stringers partly renewed. The Addison & Susquehanna railroad has 1 trestle of 7 spans, near Addison; it is of framed bents on pile foundation; it is of standard construction and in good condition, except that renewals should be made in a few caps and one or two stringers.

There are 8 open culverts and cattle passes on the Buffalo & Susquehanna railway; 4 of them have concrete abutments and I-beam stringers; 4 have wood stringers and pile-bent abutments; all are in good condition, and have

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standard ties and road stones. There is 1 small open culvert on the Buffalo & Susquehanna & Pine Creek railroad, it is constructed entirely of timber, and the spans are 10 ft. long. On the Addison & Susquehanna railroad there are 3 small open unbolted culverts of timber. Numbering the open culverts from Addison & Susquehanna railroad, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 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at each boundary of all highways crossed at grade. Four crossings are protected by electric bells, 4 crossings by flagmen, and 77 are unprotected except by crossing-signs. Whistle-posts are at the prescribed distance from crossings.

Train movements are governed by telegraphic train order system. Semaphore signals are erected at telegraph stations.

The Buffalo & Susquehanna railway stations are all of wood; they are modern and apparently meet all requirements. The station at Springville is an old, frame building, which was built many years ago for station purposes for the narrow gauge railroad then operating there; the intention is to build a new station at this point in the near future. The Wellsville, Coudersport & Pine Creek railroad has one station building in this State, that at Wellsville, which is a brick building in good condition, with concrete platforms. There are two station buildings on the Addison & Susquehanna railroad: one at Addison, the second at Freeman; both are wooden buildings, in fair repair. All stations are neat and clean. Water closets with modern sanitary plumbing have been put in stations where there is a water system; outside closets, in good condition generally, are at other stations.

At Blasdell, the main line is being carried over Lake avenue: New concrete abutments have been built, carrying a through plate girder, and the embankment approaches were being constructed at time of inspection. Fifteen miles of single track have been ballasted with gravel ballast; 10 miles of new fence have been built.

Recommendations: That the ditches be cleaned and opened, as the drainage is not good on the greater portion of the line; that repairs and renewals as indicated in the body of report be made to trestles, culverts, and cattle passes; that renewals be made to cross-ties on the Wellsville, Coudersport & Pine Creek railroad and on the Addison & Susquehanna railroad; that necessary renewals be made of rails on the Addison & Susquehanna railroad, and additional ballast be provided.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

BUFFALO, ATTICA AND ARCADE RAILROAD.

Inspected August 27, 1908. Last previous inspection September 17, 1907.
To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Buffalo, Attica & Arcade railroad, and respectfully submit the following report:

The Buffalo, Attica & Arcade railroad extends from a connection with the Erie railroad at Attica to Arcade, where a connection is made with the Buffalo & Susquehanna railway, a distance of 28 miles. It is a standard-gauge, single-track road, and has 2.25 miles of sidings and yard tracks. The general alignment is good, and curves are light, one curve of 9 degrees at the junction with the Erie railroad at Attica, and one of 22 degrees on the wye at Arcade. The grades are long and broken, with a maximum of 75 ft. per mile.

The cuts on some portions of the road, particularly near Varysburg, are through a quicksand and clay formation, and the slopes slip or wash down, filling the ditches in some places. The embankments also settle and slip, and at several points it is necessary to fill with cinders from time to time as the embankment settles. At Tonawanda creek, north of Varysburg, where considerable trouble has been experienced in the past by the bank sliding and settling, the bank is now in fair condition, piling, driven at the bottom of slope, holding the slope. At points where this class of material is not met with, the cuts and embankments are of fair width. It is a very difficult matter to keep ditches open along a portion of the line. There are parts of the road, however, where ditching would improve the roadbed.

There is one deck plate girder bridge about 35 ft. in length, over a stream, which has abutments of concrete in good shape. The bridge is in good condition, ties fair. Plank ribbons spiked to ties are used as guard timbers,

and they should be replaced by guard timbers of proper size, properly boxed on ties. At Arcade, masonry is constructed for a 2-span bridge. The abutments are built of stone and are in fair condition. The center pier of concrete is on pile foundation. The water in the stream has been lowered by the breaking away of a small dam, and at the present time the base of the concrete pier is about six inches above the surface of the water, which is flowing beneath it and around the piling. The concrete has a bearing on only a portion of the piles, quite a number of them not coming in contact with the concrete. This pier should be rebuilt, or properly underpinned, without any great delay. The structure at this point is a mixture of I-beams, wooden stringers, timber and pile bents: the north span is filled in with timber stringers, two 12 x 12-in. on top of two 12 x 14-in. under each rail, and has a timber bent north of pier and a pile bent north of that to carry these stringers. The timber bent is not properly crossbraced, and the top leans to the west. The south span carries not only the main track but also a wye track. The switch is located on the bridge at the pier, and the frog is about 5 ft. north of the south abutment. There are two 20-in. I-beams under the east rail of main track, two under the west rail of wye track, and two beams between them. There is a timber bent about 6 ft. north of south abutment, and a second bent 8 ft. north of that. Two of the posts in first bent are rotted at the base, and the cap of the second bent is broken and the batter-post has moved toward the plumb-post. The center pier is parallel with the direction of the stream and askew with the line of abutments. The girders under the east rail of main track have a clear span of 30 ft. between the bent and the pier, and as the bent is in poor condition and settles when load comes on the bridge, the clear span is increased at such times. The cross-ties are poorly spaced, and there are no guard timbers. Cars with the heaviest loads are accepted by this road, and the bridge in its present condition is not safe for these heavy loads. If the present beams and wooden stringers are to be maintained, or if new 24-in. 100-lb. I-beams are to be substituted, as was stated to your inspector, there should be new pile bents put in, parallel with the direction of the stream, properly braced and so located as to make the spans of safe length.

There is one wooden bridge in the roadway, over Tonawanda creek, just south of Attica. It is a 1-span, pony truss carried on pile-bent abutments. This bridge is getting old, and should be removed in the near future. There are a number of timber trestles in the roadway: one of 10 spans, on the south approach to the wooden bridge over Tonawanda creek; one of 8 spans; one of 4 spans, and 9 of 3 spans. There is also a trestle where concrete abutments have been built for an iron bridge, which is at the side of track, but which has not been erected as it was considered too light for the heavy traffic which it was proposed to put over this road. These trestles are generally in good condition. The attention of the superintendent of the road who accompanied your inspector was called to one trestle where stringers should be moved and timber bent straightened in order to give proper bearing for the stringers. Few if any of these trestles have a proper guard timber, plank spiked to top of ties being used. No inside guard rails are maintained. There are 4 temporary trestles where track has been washed out and which are now being refilled. There are 17 open culverts and cattle passes, and 40 open culverts which act as cattle guards. Of the 17 open culverts and cattle passes, all but 2 are carried on timber bents or timber abutments. A number of these structures have had new stringers since last inspection. Attention of superintendent was called to 2 of these structures where repairs should be made. Of the 40 open-pit cattle guards, all of these could be filled, the majority of them without a box or pipe for drainage, if proper fences were erected along the right of way. All of these open-pit guards are constructed entirely of timber. A few need renewals of stringers and timber supports if they are to remain. Almost all of the open culverts, cattle passes, and open-pit cattle guards are without proper guard timbers, a plank ribbon being spiked to top of ties in almost all cases. There are no arch culverts. The stone box culverts have failed at various points, where the foundation was either poor or poor materials were used. Repairs are

being made, and iron or vitrified tile pipes have been substituted at various places.

The cross-ties are 6 x 8 in., 8 ft. 6 in. in length, laid at the rate of 2640 to the mile of track, and are of oak, cedar, and other native woods. There are a great many poor ties, and about 20 per cent. of all ties in track should be replaced.

A little more than a mile near Attica, and a little less than a mile near Varysburg, or about two miles in all of main track are laid with 56-lb. rail and the balance of line with 60-lb. steel rail. The 56-lb. rails are connected by angle plates 21 in. in length, and the 60-lb. by 22 and 24 in. angle plates with 4 bolts. The rail is old and worn, and quite an amount should be renewed. The greater parts of the bolts are loose; some bolts are missing, and a few angle plates are cracked.

The switches in main track are split point, considerably worn; most of the switch stands rigid, a few automatic; targets are in fair condition. No switch lamps are used, as no night trains are run. Frogs are generally rigid, with a few spring rail frogs; derailing switches in sidings where their use is necessary.

There is very little gravel ballast, some cinder ballast; and for a great portion of the way no ballast except the original sub-grade material. Grass and weeds are growing between the cross-ties for the greater portion of the way. Ballast is greatly needed. The alignment of the track is very irregular and the surfacing poor, but with the poor ties, rail, and lack of ballast, it might be possible to put it in good line and surface, but almost impossible to keep it in that condition. There should be tie renewals, rail renewals, and ballast, and sufficient force to put road in good condition. The track sections are 3 in number, and are about 9 miles in length. The southern section has foreman and 4 laborers; the middle section, foreman and 10 laborers; and northern section, foreman and 6 laborers. Each section gang is furnished with flags and lanterns for protecting its work, and all portions of the line are patrolled daily.

The right of way has a large amount of small brush, grass, and weeds growing upon it, with quite a number of trees growing upon what is probably the right of way of this company. There are few fences erected along the right of way, and as this railroad runs through a grazing country, there is nothing at such points to prevent cattle from roaming over the track and right of way. As noted under "open culverts and cattle passes," there are 40 open-pit cattle guards maintained in the roadway at points where the railroad crosses farm boundary lines, and which are put there to prevent cattle from straying from one farm to another. These open-pit cattle guards are not necessary if the proper right of way fences were erected, and there would be much less danger in the operation of the road if the cattle were kept off the track and right of way and these unnecessary openings in track closed. There are no mile-posts maintained.

The highway crossings are properly graded, with planking in good condition, and are protected by the X form of sign. There are open-pit cattle guards at a number of the crossings. There are no whistle-posts maintained.

The movements of trains are governed by telegraphic train order system.

The station buildings are small, but apparently of sufficient size for the business they are required to handle. They have been recently re-painted, and are clean and in fair repair.

Two trestles have been filled since last inspection; piling has been driven at the foot of a sliding bank at Tonawanda creek north of Varysburg, and the bank which was formerly troublesome is now kept in place; about 5000 cross-ties have been put in track since last inspection.

Recommendations: That embankments be widened where they are now of insufficient width, and that ditches be opened in cuts; that repairs be made to the bridge at Arcade before winter sets in, and the structure be put in safe condition; that repairs be made to the open culvert north of Arcade, which is of about 14-ft. clear span with a poor support in center, badly shimmed up; without this support, the stringers are not sufficient to carry the load; the span can be made less, and stringers and ties need renewal;

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that extensive renewals of cross-ties be made; 20 per cent. of present ties should be renewed; that the badly worn and battered and broken-end rail be renewed; that all connections be full bolted, and loose bolts tightened; that sufficient ballast be put under track so that it will be possible to put the track in fair alignment and surface and keep it so; that the necessary repairs be made to trestles, open culverts and cattle passes, and open-pit cattle guards, and that proper guard timbers, notched to receive ties and bolted to them, be placed on these structures; that proper right of way fences be built; and that the small trees, brush, and weeds on the right of way be cut.

Respectfully submitted,

E. F. VAN HOESEN,
Inspector Steam Railroads.

BUFFALO CREEK RAILROAD.

Inspected August 17, 1908. Last previous inspection April 23, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Buffalo Creek railroad, and respectfully submit the following report:

The Buffalo Creek railroad is a standard-gauge road located in the city of Buffalo, connecting nearly all the railroads entering Buffalo with the various docks and industries located along the lake front on the south side of the city. The main line extends from a connection with the New York Central & Hudson River railroad at William street to Peck Slip; the Prenatt Street branch extends from the main line near Elk street to the Standard Oil Company's works; the Beach branch, from a connection with the main line at Beach Branch Junction and extending along the lake front.

Passenger trains of the Buffalo, Rochester & Pittsburgh railway and the Buffalo & Southwestern branch of the Erie railroad operate over about one mile of the main line; the balance of the road is used as a freight line.

The main line has 4.08 miles of main track, 4 miles of second track, and 1.61 miles of third track; the Prenatt Street branch 0.8 mile main track; the Beach branch 0.82 mile main track, 0.62 mile second track; and there are 12.65 miles of sidings and yard tracks. The general alignment is good; the curves are light, with one 9-degree curve near the crossing of the Ship canal. The grades are light, quite a portion of the road being practically level. The roadway is well graded and well drained.

A drawbridge carries the track across the Ship canal, on the Beach branch near its junction with the main line. This bridge is interlocked with the signal tower near the end of the bridge. The bridge is in good repair, fairly well painted, but is a little light for the present traffic. There is a through truss bridge of 2 spans, double track, over the Buffalo creek or river. The pier masonry has settled and cracked, but the load has been distributed by rails and timber so that there has been no further settlement for some time past. This bridge is also a little light for the present traffic. The remaining bridges are in good condition. There is one short piece of timber trestle on pile foundation consisting of 4 spans, all in fair condition. There are no arch culverts. The box culverts and pipe drains are apparently in good condition.

The cross-ties, practically all oak, are 7 x 9 in., 8 ft. in length, and laid at the rate of 2992 to the mile of track; they are well spaced, full spiked, and in generally sound condition.

Of main track, 10.38 miles are laid with 80-lb. rail in good condition, and 1.55 miles with 58-lb. rail which is considerably worn; the 80-lb. rails are connected by angle plates 30 in. in length with 6 bolts, and the 58-lb. rails by angle plates 24 in. in length with 4 bolts; the connections are full bolted and bolts generally tight.

The main-track switches are split point and have rigid stands, with targets well painted. Almost all frogs are rigid.

The track is generally well ballasted with cinders and gravel. The align-

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ment and surfacing of the track are good, with the outer rail of curves properly elevated for the speed at which trains operate.

The grade crossings of railroads are as follows:

Lake Shore & Michigan Southern railway: two tracks crossed at grade by two Buffalo Creek railroad tracks, and protected by interlocking signals with derailing switches in all tracks.

Buffalo & Southwestern branch of the Erie railroad: one track connects with and crosses the eastbound main track of the Buffalo Creek railroad in South Buffalo; the crossing is protected by dwarf signals which are interlocked; all trains are required to come to a full stop before crossing.

New York, Chicago & St. Louis railroad one track, and Pennsylvania railroad one track, side by side, are crossed by two Buffalo Creek railroad tracks; the crossing is protected by a tilting board signal, and all trains are required to come to a full stop.

Delaware, Lackawanna & Western railroad: two tracks crossed by three Buffalo Creek railroad tracks; crossing protected by disc signals on a tower. The crossing is a dangerous one, and the matter of eliminating it was taken up by the Board of Railroad Commissioners. In addition to the three tracks of the Buffalo Creek railroad, there are two tracks of the New York, Chicago & St. Louis railroad and two tracks of the Pennsylvania railroad crossing the two tracks of the Delaware, Lackawanna & Western railroad, almost side by side, at this point. There are said to be 400 train and engine movements over these crossings every 24 hours.

Erie Railroad four tracks, and Pennsylvania railroad two tracks, are crossed by one track of the Buffalo Creek railroad at East Buffalo; the crossings are protected by board signals located on a tower, and all trains are required to come to a full stop before crossing. This is a very busy crossing. Another track of the Pennsylvania railroad also crosses the four tracks of the Erie railroad about 300 feet east of this crossing, and the movements of trains on all these tracks are governed from this one tower, with signals not interlocked; and it can only be considered a dangerous crossing.

The right of way is fairly clean and free from rubbish, and being within the city limits there is no necessity for its being fenced, and fences are not maintained. The street crossings are well graded and properly planked; two of the crossings are protected by flagmen. The tracks in Ganson street have been rearranged, and between four and five thousand cross-ties have been renewed in track.

Recommendation: That the Buffalo Creek Railroad Company forward to this Commission strain sheets for the drawbridge over Ship canal, and for the through truss bridge over Buffalo river.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

BUFFALO CREEK TRANSFER RAILROAD.

Inspected August 21, 1908. Last previous inspection October 29, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Buffalo Creek Transfer railroad, and respectfully submit the following report:

The Buffalo Creek Transfer railroad consists of a series of switching tracks located in Buffalo on what is known as the Island. The tracks connect with the tracks operated by the Buffalo Creek and the Pennsylvania railroads, and extend into the coal yard of Frank Williams & Co. There are 1.1 miles of main track and approximately one-half mile of side tracks. The road is used only for handling the business of the coal company, and the movements over it are slow. The tracks, while not in the best condition, are safe for the purpose for which they are used.

Respectfully submitted,
E. F. VAN HOESEN,
Inspector Steam Railroads.

BUFFALO, ROCHESTER AND PITTSBURGH RAILWAY.

Inspected July 28, 29, and 30, 1908. Last previous inspection July 24 and 25, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Buffalo, Rochester & Pittsburgh railway, and respectfully submit the following report:

The Rochester division main line extends from Rochester to a junction with the Buffalo division main line at Ashford, a distance of 93.70 miles, single track, with 53.58 miles of sidings and yard tracks. The Lincoln Park and Charlotte branch extends from a connection with the main line Rochester division at Lincoln Park to a connection with the Rome, Watertown & Ogdensburg division of the New York Central & Hudson River railroad at Charlotte, a distance of 8.79 miles; has a branch track running from Dock Junction to Genesee docks, a distance of 1.51 miles; and has 4.06 miles of sidings and yard tracks. The Silver Springs branch connects with the main line Rochester division at Silver Lake Junction and extends to Silver Springs, on the line of the Buffalo division of the Erie railroad, a distance of 1.11 miles, and has 0.21 mile of sidings and yard tracks. The Buffalo division main line extends from the Pennsylvania-State line near Limestone to a junction with the Buffalo Creek railroad in Buffalo, a distance of 70.92 miles; has second main track from the Pennsylvania-State line to the junction with the Rochester division at Ashford, 25.67 miles; and has 54.64 miles of sidings and yard tracks. The Salamanca branch connects with the main line Buffalo division at East Salamanca and extends to a connection with the Allegheny division of the Erie railroad at Salamanca, a distance of 1.33 miles, single track, and has 1.00 miles of sidings and yard tracks.

While all the various lines are somewhat crooked, owing to the nature of the country through which the road runs, the curves are generally light, the maximum of the Rochester division being 5 degrees and 40 minutes, at Rock Glen; of the Buffalo division 7 degrees, at Cascade Park; of the Lincoln Park and Charlotte branch 6 degrees, near Charlotte; of the Silver Springs branch 8 degrees, near Silver Lake Junction. A large proportion of the various lines is on grade, generally regular although sometimes long; the maximum of the Rochester division is 71 feet per mile, between Silver Lake Junction and Gainesville; of the Buffalo division, 89 feet per mile, at Orchard Park and Riceville; of the Lincoln Park and Charlotte branch, 70 feet per mile, near Charlotte; of the Silver Springs branch, 58 feet per mile. The cuts and embankments of all the lines are of good width and proper slopes, and the roadway is well drained. Tile sub-drains have been used to drain wet cuts, and the result has been very beneficial.

The steel and iron bridges are in good condition and generally well painted, and with the exception of No. 35.90, which consists of plate girders spanning a stream in a trestle structure, have good masonry abutments. The ties and guard timbers are of standard dimensions and well maintained. Inside guard rails have been placed on all except very short spans.

The only wooden bridge in the roadway is a single span of trussed stringers on the Silver Springs branch, in a trestle, and is used over a highway; this has been newly rebuilt. The only other wooden bridges are for overhead highway and farm crossings, and quite a number of iron bridges are used for that purpose. All are in proper condition, and any less than 21 feet above the track are protected by warning signals.

There is in the roadway a large number of timber trestles consisting of either pile or framed bent construction, and in many cases they are used for crossing small streams, and also for cattle passes and undercrossings; they are all well constructed and properly maintained. As previously stated, a large number of the small streams are crossed on trestle structures; and such structures are also used for cattle passes to a great extent. Other open culverts and cattle passes are constructed entirely of timber; pile or framed bents, planked behind to support the embankments, being used for abutments. In recent construction, however, first-class concrete masonry and I-beam or rail stringers have been used to replace former wooden structures, and in

many cases the openings have been covered with solid flooring of metal and concrete, thereby eliminating the opening to grade. All structures of whatever nature used for open culverts and cattle passes and undercrossings are in good condition, and have standard ties and guard timbers well maintained. The arch and box culverts and iron-pipe drains are apparently in good condition.

The cross-ties on all the lines are 7 x 9 in., 8 ft. 6 in. in length, and laid at the rate of 2880 to the mile of track; they are evenly spaced, full spiked, and in excellent condition, all necessary renewals having been or now being made; about 75 per cent. are oak and the balance yellow pine.

The main line of the Rochester division has 22 miles laid with 90-lb., and the remainder, 71.70 miles, with 80-lb. steel rail; the Lincoln Park and Charlotte branch has 3.20 miles laid with 80-lb., and the remainder, 5.59 miles, with 71-lb. steel rail; the Genesee Dock branch of this line, 1.51 miles in length, is laid entirely with 80-lb. steel rail; the Silver Springs branch is laid entirely with 80-lb. steel rail; the Buffalo division main line has about 50 miles laid with 90-lb., and the remainder, 46.59 miles, with 80-lb. steel rail; the Salamanca branch has 0.60 mile laid with 80-lb., and the remainder, 0.73 mile, with 71-lb. steel rail. The 90-lb. rails are connected by continuous rail joints 28 in. in length with 4 bolts, the 80-lb. rails by angle plates 42 in. in length with 6 bolts, and the 71-lb. rails by angle plates 26 in. in length with 4 bolts. The 90-lb. rail is in first-class condition; the remaining rail in fair condition, and renewal is being made as rapidly as apparently necessary. All the connections are full bolted, and no loose bolts were observed.

All main-track switches are split point and have automatic stands. Some high targets are used at obscure places. Switches and stands are in proper condition and the targets well painted. Switch and semaphore lamps show red light for danger and white for safety. The main-track frogs are mainly spring rail and properly maintained. Derailing switches are in all sidings connecting with the main track upon which cars are left standing, where the grade descends toward the main track; quite a number of them are interlocked with the main-track switch stand and the stands of all have power targets.

The westerly portion of the Buffalo division is quite extensively ballasted with broken stone and slag, and the work of re-ballasting with those materials is being continued; the remainder of the Buffalo division is ballasted with gravel and cinders in from fair to medium quantity, and the remaining lines with gravel and cinders, generally in good quantity. The alignment and surfacing of the tracks of the main lines are good, and the branch lines very fair, and the outer rail on curves properly elevated for the scheduled speed of the trains. The average length of the track sections of the Rochester division is 6 miles; of the Buffalo division, 5 miles of double-track, 6 miles of the single-track portion; the Rochester and Charlotte branch is in one section, 8 1/4 miles in length; the Silver Springs and Salamanca branches are a part of the main-line section. On each section the force employed consists of a foreman and 5 laborers. Each gang is furnished with flags, lanterns, and fuses. All portions of the road are patrolled daily by a regular track walker.

The Rochester division crosses at grade one track of the Pennsylvania railroad, used only as a freight line for transferring to and from the New York Central & Hudson River railroad at Rochester; the crossing is protected by a tilting board signal; trains of the Buffalo, Rochester & Pittsburgh approach this crossing under full control, but do not stop if signal is in their favor; all trains of the Pennsylvania railroad come to a full stop. Two tracks of the Lehigh Valley railroad at P. & L. Junction: the crossing is protected by a modern and complete interlocking plant. One track of the New York Central & Hudson River railroad and three of the Erie railroad, side by side, at LeRoy: the crossing is protected by a tilting board signal and all trains come to a full stop. Two tracks of the Pennsylvania railroad at Machias Junction: the crossing is protected by a tilting board signal, and all trains are required to come to a full stop. The Buffalo division

crosses at grade one freight track of the Erie railroad at Limestone: the crossing is protected by a tilting board signal; trains of the Buffalo, Rochester & Pittsburgh approach the crossing under control, but do not stop if signal is in their favor; the Erie trains are required to manipulate the signal and protect themselves in using the crossing. One track of the Pennsylvania at Riverside: the crossing is protected by a tilting board signal, and all trains are required to come to a full stop. One track of the Western New York and Pennsylvania Traction Company (electric) is crossed at grade by the Salamanca branch, in Salamanca: there are derailing switches in the track of the electric railroad, but no protection over the trolley wire.

The only interlocking plants maintained are at the grade crossing of the Lehigh Valley at P. & L. Junction, and to protect a gauntletled track of the Buffalo division over Allegheny river bridge at Riverside.

The right of way is free from trees, brush, and rubbish; grass and weeds have been cut and removed. The fences are of wire and in very fair condition, having been greatly improved since the last inspection.

The highway crossings are well graded, planking properly maintained, and are protected by signs of the diamond or triangular form suitably located and well painted. Metallic-slat cattle guards with proper guard-fences are in place at each boundary of all highways crossed at grade; 14 highway crossings are protected by flagmen, 1 by flagman and gates, 7 by electric bells, and the remaining 177 by crossing-signs only.

The movements of trains are governed by the telegraphic train order system, semaphore signals being located at stations. Passenger trains are kept a station apart; freight trains are spaced 10 minutes at the telegraph station. New concrete mile-posts have been erected, and whistle-posts of wood are at the prescribed distance from the highway crossings.

The station buildings are in good repair, waiting rooms clean and neat, and the sanitary condition good. Water in pails and fire extinguishers are provided at stations as protection against fire. The station platforms are of plank, gravel, stone screenings, and brick. At stations where there is a water system, sanitary closets are maintained; at other stations there are outside closets, well kept. The station grounds and yards are in good condition. All station and passenger train employees are uniformed, and wear badge indicating their employment.

The principal repairs and improvements noted as made since the last inspection are as follows: About 15 per cent. of the cross-ties have been renewed; 19 miles of new 90-lb. steel rail laid on the Rochester division, replacing worn 80-lb. and 90-lb. rail; 0.89 mile of 80-lb. rail on the Lincoln Park and Charlotte branch, replacing worn 71-lb. rail; 1.51 miles of 80-lb. rail on the Genesee Dock branch, replacing worn 71-lb. rail; 21.20 miles of new 90-lb. rail on the Buffalo division main line, replacing worn 80-lb. and 90-lb. rail; 0.60 mile of 80-lb. rail on the Salamanca branch, replacing worn 71-lb. rail; 15 miles of the Rochester division main line have been re-ballasted with gravel and cinders, 16 miles of the Buffalo division main line with slag and broken stone, and 9 miles with gravel and cinders; 56 miles of new woven-wire fence have been built on the Rochester division, and 4 miles repaired; 17 miles on the Buffalo division and 11 miles repaired; 0.68 mile of new snow fence on the Rochester division and 1 mile repaired; 2.14 miles on the Buffalo division and 2.90 miles repaired; 5 new steel bridges have been put in on the Rochester division main line, replacing lighter bridges and a trestle approach; 1 new steel bridge on the Lincoln Park and Charlotte branch, replacing a lighter bridge; 265 ft. of timber trestle of the Rochester division have been replaced with concrete arch and filling, and one 77 ft. in length of the Buffalo division replaced with a through plate girder bridge; 1 timber opening 14 ft. in length, near Limestone, replaced with a reinforced concrete box culvert; 2 timber cattle passes of the Rochester division have been replaced with reinforced concrete culverts; 3 box culverts on the Rochester division rebuilt, and 9 extended; also 1 on the Silver Lake branch extended, and 1 on the Buffalo division; necessary repairs and renewals have been made to masonry of bridges, open culverts, and cattle passes, and to bridge, trestle, culvert, and cattle pass floors; a

new 14-stall, reinforced concrete roundhouse has been built; new car shop, power house, oil house, tool house, and lamp house erected at Lincoln Park; passenger station re-painted; coal house repaired and re-painted; general foreman's office repaired; storehouse, hose house, machine shop, blacksmith shop, car shop, lumber shed, closet buildings, sand house and bins and coal handlers' house repaired and painted; a general office building and freight house erected at Rochester; a new pump house at P. & L. Junction; new freight house at Warsaw; passenger station at Freedom repaired and re-painted; at Genesee docks, on the Lincoln Park and Charlotte branch, a track has been constructed to the river; a new passenger station and shelter, also coal house, erected, and slip built for transferring cars to and from boat which runs three times a week between that place and Coburg, Ontario; at Ganson street, Buffalo, there has been erected a transfer table engine house; scale house and office, shelter at freight transfer, and other buildings have been re-painted; at Buffalo Creek, section tool house and Y. M. C. A. building have been re-painted; telegraph office at Hoyt's re-painted; new passenger station erected at Great Valley; at East Salamanca, freight house and transfer and roundhouse erected; two offices and Y. M. C. A. building re-painted; telegraph office at Riverside Junction re-painted; on the Rochester division, 5 steel and iron bridges have been re-painted; at Lincoln Park, on the Rochester division, a new subway has been constructed under six tracks, eliminating grade crossing through the yard. Many other minor improvements were observed, which are too numerous to mention.

Recommendation: That as rapidly as renewal becomes necessary the timber trestles used in crossing running water be replaced with permanent structures.

Respectfully submitted,

J. D. SHULTZ,
Steam Railroad Inspector.

CARTHAGE AND COPENHAGEN RAILROAD.

Inspected April 21, 1908. Last previous inspection July 23, 24, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: On April 21, 1908, I made an inspection of the Carthage & Copenhagen railroad, and respectfully submit the following report:

The Carthage & Copenhagen railroad connects with the Rome, Watertown & Ogdensburg division of the New York Central & Hudson River railroad at Carthage and Copenhagen Junction in West Carthage, and extends to the village of Copenhagen, a distance of 8.70 miles, and has about 0.25 mile of sidings and yard tracks. This road was completed and put in operation during the winter of 1906-7. The difference in elevation of the two terminals of the road is approximately 500 feet; therefore much of the line is on grade which is somewhat irregular and with a maximum of about 119 feet per mile. The road is pretty crooked but most curves are light, the maximum being 6 degrees. There are no very extensive cuts or high embankments and the work of construction was generally light. When the last inspection was made many of the cuts were rather narrow and embankments weak, and many of them not up to grade. The ditches were also pretty generally filled with material that had washed down from the slopes. Since that inspection was made quite extensive work has been done widening cuts and embankments, cleaning ditches, and raising low places. Quite an amount of additional work is needed in that line, especially in the widening of weak embankments and raising them to grade and making proper ditches. None except very small streams are crossed, and there is but one opening to grade: that is a culvert of about 16-ft. span, with concrete masonry and I-beam stringers; the ties are of standard dimensions, but it lacks proper guard timbers. The other openings through embankments for passage of water and for cattle passes are concrete arch and box culverts and cement pipe drains, all well constructed and in good condition.

The cross-ties, mainly of cedar, with some tamarack and various hard woods, are 6 x 8 in., 8 ft. in length, and laid at the rate of 2640 to the

mile of track. The track is laid with second-use 60-lb. steel rail, connected generally by angle plates 24 in. in length with 4 bolts; in a few places it was noted that Fish plates 24 in. in length with 4 bolts were used. All the connections are full bolted and the bolts tight. Much of the rail for a distance of about $2\frac{1}{2}$ miles from the Carthage end is very much worn and surface bent, and a large portion of it should be replaced; on the balance of the road the rail, while somewhat worn, is not in bad condition for the light traffic and slow speed maintained (about 17 miles per hour). The rail is full spiked to all the ties. The main-track switches are split point and have automatic stands with good targets. The frogs are rigid. Switch lamps show red light for danger and white for safety. There are no swings where derailing switches appear to be necessary. The alignment and surfacing of the track are considerably irregular owing to there being but little ballast, and the frost which has not yet thawed out affecting it very much. Extensive shimming between the rail and the tie has been done to make up for such inequalities. A little cinder ballast has been used in places, and considerable cinder ballast and also gravel ballast has been put in since the last inspection, but a great portion of the road is still unballasted, and the material of such nature that it is seriously affected by frost and by wet weather, especially with the lack of sufficient ditches.

The right of way is free from trees and brush. Much additional fencing has been done and nearly the entire road is now fenced with wire. Cross-fences at highways and cattle guards have not yet been put in. The highway crossings are very well graded, planking in proper condition, and are protected by signs of the diamond form. The track force at present consists of a foreman and about 8 men; I am advised, however, that as soon as conditions will admit this force will be largely increased.

At Copenhagen there is an old frame building which is being used as a station temporarily, it being planned to erect a new station there. A very small frame station has recently been erected at Carthage and Copenhagen Junction. There are no other station buildings, and only flag stops between the two terminals.

The road owns two small locomotives, both at present out of use, a locomotive borrowed from the New York Central & Hudson River railroad being used. The only other equipment consists of a small combined baggage and passenger car, in medium repair. The locomotive and the car have automatic couplers and air brakes.

Recommendations: That necessary additional widening of cuts and embankments be done, low embankments raised to grade, and cuts thoroughly ditched; that the worn and bent rails be replaced where necessary; that the remainder of the track be ballasted and put in proper alignment and surface; that the building of fences be completed, and that cattle guards with suitable guard-fences be maintained at each boundary of all the highways crossed at grade.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

CATSKILL AND TANNERSVILLE RAILWAY.

Inspected June 19, 1908.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Catskill & Tannersville railway, and respectfully submit the following report:

The Catskill & Tannersville railway is single track, with 3-ft. gauge, and extends from a connection with the Otis railway at Otis Summit to Tannersville, a distance of 5.50 miles, and has about 0.35 mile of sidings and yard track. The road is very crooked, curves are frequent and sharp, with a maximum of about 20 degrees located near Haines Corners. The grades are very steep and much broken. The maximum grade is 264 feet per mile, in several places. Many of the grades could be cut down and curvature

improved by a slight change in location, as some of the line has been badly located. The cuts and embankments are generally of fair width and natural earth slopes. Ditches are generally well cleaned and roadway fairly well drained.

There are no steel or iron bridges in the roadway. There is an overhead wooden bridge carrying a highway over the track at Otis Summit; it is in fair condition. There are 3 timber trestles, 2 of them of 8 spans each and the other of 14 spans. They are of yellow and Virginia pine, of standard construction; stringers, cross-ties, and guard timbers in good condition. The first trestle from Tannersville has inside guard rails, but point is lacking at Tannersville end. The trestle at Haines Corners has inside guard rail. The trestle near Laurel House station has no inside guard rail, but it is about to be placed. The foundations to the bents are masonry piers, and are in good condition.

There are 6 open culverts and cattle passes; all have masonry abutments, timber stringers are used with standard ties and guard timbers, and are in good condition except the following: The first open culvert east of Haines Corners, one abutment is crowding out at the top and should be rebuilt; the other abutment is in fair condition only, and it would be better to put in a concrete or masonry arch when repairs are made. In the fourth open culvert east of Haines Corners, 5-ft. span, the present stringers, two 6 x 12 pine, are poor and should be renewed; new 6 x 14 stringers are on the ground for that purpose. There are no arch culverts. The box, and iron-pipe culverts are apparently in good condition.

The cross-ties are 6 x 6 and 6 x 8 in., 6 ft. in length, and laid at the rate of 2816 to the mile of track. They are well spaced and full spiked and generally in very fair condition. Tie renewals were in progress at the time of inspection and there are a number of renewals needed, particularly at the Tannersville end of the line.

The track is laid with mixed 40-lb. and 46-lb. steel rail, connected by angle and Fish plates 18 and 21 in. in length with 4 bolts. The rail is in fair condition for the light motive power and rolling stock used. The connections are full bolted and practically all bolts tight. A few shoulder tie-plates are being used. All the switches are split point; both rigid and automatic stands are used. The targets require painting. No switch lamps are used; no night trains are run. The frogs are rigid.

The track is lightly ballasted with gravel and shale. The alignment and surfacing of track are fair, and the outer rail on curves properly elevated for the moderate speed at which trains are scheduled. The section force consists of a foreman and 10 laborers, who are also employed in making necessary repairs on the Otis railway. They are furnished with necessary flags and lanterns for protecting their work.

The right of way is free from trees and brush. Grass and weeds are now being cut. The fences are of wire and in fair condition; some repairs are needed.

The highway crossings are fairly well graded, and are provided with signs of triangular form, properly located. They should however be re-painted. Metallic-slat cattle guards are used at most of the crossings; to be effective, guard-fences where lacking should be built at some of the crossings. Whistle-posts are properly located and are in good condition. No mile-posts are maintained. Trains are operated under the telephone train order system.

Small stations are maintained at Tannersville and Haines Corners; at other points along the line there are covered platforms where trains stop on signal to take or leave passengers. The Tannersville station is in fair condition, but is too small, due to the fact that it is used for freight purposes as well as for passengers. Stakes have been set for a new freight station, 14 ft. x 32 ft., to be erected on opposite side of track from passenger station. Material was arriving for this building at the time of inspection, and when completed the space for passengers and freight will be sufficient. At Haines Corners the station facilities are now adequate, due to the erection of a new freight station 20 x 32 ft. Outside closets are provided at both Tannersville and Haines Corners. At Otis Summit the station building belongs to the

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Otis railway. It is a frame building, in good condition and properly furnished.

Recommendations: That the inside guard rail be carried out to a point on the trestle, at the Tannersville end of road, and that inside guard rails be placed on the trestle near Laurel House station; that the bridges, trestles, open culverts, and cattle passes be numbered, and proper board showing number be erected at each opening; that at the first culvert east of Haines Corners the masonry abutment, which is beginning to tip, be either torn down and rebuilt, or a concrete or brick arch be built in place of the present opening; that new stringers be placed on the fourth culvert east of Haines Corners; that the practice of using shoulder tie plates be continued, particularly on the short radius curves; that cross-ties be renewed where needed, particularly on the western end of the road; that highway signs be re-painted.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

CATSKILL MOUNTAIN RAILWAY.

Inspected June 20, 1908.

To the Public Service Commission, Second District:

GENTLEMEN: On June 20, 1908, I made an inspection of the Catskill Mountain railway, and respectfully submit the following report:

The Catskill Mountain railway is a single-track, 3-foot gauge railroad. The main line extends from Catskill Landing on the Hudson to Palenville, a distance of 15.75 miles, and has a branch line extending from Cairo Junction on the main line to Cairo, a distance of 3.77 miles. There are 1.86 miles of sidings and yard tracks. The road is crooked, with many sharp curves, the maximum being 28 degrees. The grades are steep and broken. The maximum grade on main line is about 125 ft. per mile near Palenville, and on the Cairo branch 135 ft. per mile about half way between Cairo Junction and Cairo. The cuts and embankments are generally of fair width; the ditches are well cleaned and roadway well drained. There is one short tunnel, brick arch, to carry street over track, in Catskill.

There are 5 iron bridges: one of 4 spans, two of 3 spans each, one of 2 spans, and one single span, all in good condition, fairly well painted; masonry good; standard ties and guard timbers good, and have inside guard rails. The only wooden bridges are for overhead highway or farm crossings; they are in fair to good condition. There are no timber trestles in the roadway. The open culverts and cattle passes have fair to good masonry, suitable timber stringers, standard ties and guard timbers well maintained, except that the ties should be renewed on the second and third open culverts from Palenville, and also on the cattle pass between Cairo Junction and South Cairo. The arch and box culverts and pipe drains are apparently in good condition. A new 5-ft. brick arch with masonry bench walls has been built since last inspection to take the place of an 8-ft. open culvert.

The cross-ties, mixed yellow pine and chestnut, are 6 x 8 in., 8 ft. in length, and laid at the rate of 2992 per mile of track. They are in good condition, evenly spaced, and full spiked. Tie renewals were being made at time of inspection.

The rail is 40-lb. steel, somewhat worn but in fair condition for the light motive power and rolling stock used. The rails are connected by angle and Fish plates and continuous rail joints 17 in. in length with 4 bolts; all connections are full bolted and bolts tight. Shoulder tie-plates are used on some curves and a few on tangents. The main-track switches are split point and have rigid stands with suitable targets. The targets need painting. No switch lamps are used except in yard at Catskill Landing, as no night trains are operated over the road. Frogs are rigid; derailing switches are in all sidings where their use is necessary.

The track is lightly ballasted with gravel. The alignment and surfacing of the track are good, and the outer rail on curves properly elevated for sched-

uled speed. The track force consists of 3 foremen and 21 laborers, and is provided with flags and lanterns for protecting the work. The track is patrolled by day track walker.

The right of way is clear and clean and fenced with wire in fair repair. The highway crossings are properly graded, well planked, and protected by triangular crossing-signs, properly located, with paint badly worn. Metallic-slat cattle guards with proper guard-fences are maintained at highways crossed at grade. Whistle-posts are properly located. No mile-posts are maintained.

The movements of trains are governed by train orders issued by telephone.

The station buildings are in fair repair and properly furnished. A new station has just been completed at South Cairo to replace old one.

Recommendations: That the switch targets be painted; that the bridges, open culverts, and cattle passes be numbered and proper board showing number be erected at each opening; that cross-ties be renewed on the second and third culverts from Palenville, and also on the cattle pass between Cairo Junction and South Cairo.

Respectfully submitted,
E. F. VAN HOESSEN,
Steam Railroad Inspector.

CENTRAL DOCK AND TERMINAL RAILWAY.

Inspected August 15, 17, 1908. Last previous inspection August 24, 1906.
To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Central Dock & Terminal railway, and respectfully submit the following report:

The Central Dock & Terminal railway connects with the Buffalo and Niagara Falls branch of the New York Central & Hudson River railroad, on the Lake front near Georgia street, Buffalo, and extends to a coal shipping trestle. The road is 0.39 of a mile in length, almost all of which is constructed upon a timber trestle. For the greater part of its length there are three tracks. The two outside tracks are the main tracks; the center track is on the same trestle, but is constructed at a different and lower grade and is used for the return of the empty cars by gravity from the end of the trestle, where coal is loaded on boats. There are approximately two miles of yard tracks constructed on the ground adjacent to the trestle. There is one bridge on the line where the road crosses the Buffalo and Niagara Falls branch overhead; this bridge is in fair condition.

The greater part of the road is on a timber trestle, inclined from a point near the connection with the New York Central to the bridge over that railroad, and from the bridge to the end of trestle is practically level, with coal pockets, built on a pier extending into the Erie basin. There is a curve in the alignment near the top of the inclined trestle and ending at the bridge. The trestle generally is in fair condition. Most of the timber bents, stringers, cross-ties, etc., on the curve have been renewed since last inspection. There are three bents at the north end of curve which should be braced in the same manner as those just renewed, with necessary renewal of timber, on account of the outward movement at top of trestle when train ascending trestle strikes the curve. There are a few posts, sills, and cross-ties that need renewal. On the coal pocket portion of the trestle there are some stringers which have become worn by the dumping of coal from cars into pockets, and renewals should be made where necessary. The track is laid with 80-lb. rail, with split point switches and rigid stands. On the coal pocket portion of the trestle a system of buck-bracing and rods has been put in to counteract a lateral movement of the trestle.

Recommendation: That repairs and renewals be made to stringers on the coal pocket portion of the trestle, to the three bents on curve of inclined portion, and to posts, sills, stringers, and cross-ties where necessary.

Respectfully submitted,
E. F. VAN HOESSEN,
Steam Railroad Inspector.

CENTRAL NEW ENGLAND RAILWAY.

Inspected May 25, 26, 27, 28, 1909. Last previous inspection May 3, 29, 26, and 27, 1906. Poughkeepsie & Eastern portion of the road, recently acquired, was last inspected July 19, 1907.

To the Public Service Commission, Second District:

Gentlemen: I have made an inspection of the various lines owned and operated by the Central New England Railway Company in this State, and respectfully submit the following report:

Since the acquisition of the Poughkeepsie & Eastern railway, the lines of operation of the Central New England railway have been materially changed. Formerly the main line in this State extended from the Connecticut-State line over the Hartford & Connecticut Western to Silvernails, and over the Central New England proper from that place to Campbell Hall. The main line now is over the Hartford & Connecticut Western from State Line to Boston Corners, thence over the Poughkeepsie & Eastern railway to Pine Plains Junction, thence over the Newburgh, Dutchess & Connecticut to Stissing Junction, thence over the Poughkeepsie & Eastern railway to Poughkeepsie and Eastern Junction near Poughkeepsie, thence over the Central New England railway proper to Campbell Hall, a total distance of 74.41 miles, and has 6.32 miles of main track and 33.03 miles of sidings and yard tracks. The Rhinecliff division now commences on the main line of the Hartford & Connecticut Western at Boston Corners and extends to Rhinecliff on the line of the New York Central & Hudson River railroad, 35.30 miles, and from Silvernails to Rhinecliff Junction, 3.37 miles, all single track, and has approximately 6 miles of sidings and yard tracks. The East Stamfordville division extends from West Pine Plains on the Rhinecliff division to Poughkeepsie and Eastern Junction over the former main line of the Central New England railway, a distance of 23.20 miles single track, and has 2.40 miles of sidings and yard tracks. The Hopewell branch connects with the main line at Poughkeepsie Junction and extends to Hopewell on the New England railroad, a distance of 12.40 miles, single track, and has 3.70 miles of sidings and yard tracks. The Newburgh, Dutchess & Connecticut division extends from Dutchess Junction on the line of the New York Central & Hudson River railroad to Stissing Junction; from Stissing Junction to Pine Plains Junction, a distance of about 4½ miles, the Newburgh, Dutchess & Connecticut railroad has been absorbed in the present main line; from Pine Plains Junction the line of the Newburgh, Dutchess & Connecticut railroad extends to the Connecticut-State line where it again connects with the main line; the length of this road is 54.04 miles. A short piece of what was formerly a portion of the Highland division extends from a connection with the Newburgh, Dutchess & Connecticut main line at Wicope Junction to Fishkill Landing, a distance of 1.65 miles, and is now treated as a portion of the Newburgh, Dutchess & Connecticut railway. There are connected with this division, 20.50 miles of sidings and yard tracks. The portion of the Poughkeepsie & Eastern railway from Poughkeepsie and Eastern Junction to North street, Poughkeepsie, is now operated and treated as yard track. From North street to the state hospital and the connection with the New York Central & Hudson River railroad, a distance of 2.20 miles, it is considered as main track, and passenger trains are operated between North street and the hospital. This track, although a passenger car and locomotive operate over a piece of it between the state hospital and Poughkeepsie, is used almost entirely as a switching track. It is fairly well graded, considerable tie renewals are needed, some of the rail is much worn, but everything operates very slowly over it. There is one quite extensive trestle on the line. It is getting old, and although considerable repairs have been made to it, is still in poor condition and it should be renewed or filled in the near future. This piece of road is not further referred to in this report.

On the main line, west of Pleasant Valley, is a grade of 68.6 ft. per mile; on the Rhinecliff division, east of Rhinecliff, a grade of 79.2 ft. per mile; on the East Stamfordville division, between Stamfordville and McIntyre, a grade

of 52.8 ft. per mile; on the Hopewell branch, east of Poughkeepsie Junction, a grade of 66 ft. per mile; on the Newburgh, Dutchess & Connecticut division, east of Winchells, a grade of 92.4 ft. per mile. East of Pleasant Valley on the main line there is a curve of $6\frac{1}{2}$ degrees; east of Rhinecliff on the Rhinecliff division one of 6 degrees; east of McIntyre on the Stamfordville division one of 6 degrees; at Manchester bridge on the Hopewell branch one of 6 degrees; east of Shekomoko on the Newburgh, Dutchess & Connecticut division one of 5 degrees. All lines of road are through a country considerably broken; the curves are frequent, but the majority of them are not sharp. The grades are also considerably broken, and in some cases quite steep for long distances. The apparent reason for changing main line over the routes now taken is to avoid some of the steeper grades, as on this line is the heaviest traffic. The cuts and embankments are generally of fair width and with proper slopes. A few cuts on the Poughkeepsie & Eastern, near the summit, are rather narrow to admit of sufficient ditching; also cuts between Poughkeepsie bridge and Highland on the main line, which are wet cuts, and from lack of ditches the roadbed is pretty thoroughly soaked, resulting in irregular surface of track. A little additional ditching is also needed in a few cuts on the Rhinecliff division; also one cut of the East Stamfordville division east of Poughkeepsie and Eastern Junction. A little cleaning of ditches is also needed on the Hopewell branch, and on the Newburgh, Dutchess & Connecticut division near the summit. With these exceptions, the roadway is very well drained.

The bridges of the main line are generally in good condition. A few are rather light for the class of motive power and rolling stock used, and are additionally supported by intermediate bents. All have standard ties and guard timbers in fair to good repair. Inside guard rails have been placed on a few of the bridges, but in most cases there are none. The officers of the company, however, advised that it is the intention to put guard rails on all bridges and trestles. The Poughkeepsie bridge has been practically rebuilt and made about double its former strength. This has been done by putting in on the river portion an additional (center) truss and additional columns in the towers, and replacing other light members with heavier ones. Most of the shore spans have had an additional column put in for support and the trusses and girders replaced, and all light members also replaced; the masonry has been generally repaired, and new masonry put in for the additional supports; new ties and guard timbers have been put on and laying of inside guard rail nearly completed. This structure is now in first-class condition. The bridges of the Rhinecliff division are in good condition, and the wooden bridges heretofore on that line have been replaced with modern steel bridges on new or thoroughly repaired masonry; the ties and guard timbers are standard and in good repair; inside guard rails have been placed on the longer structures. On the East Stamfordville division the bridges are generally in poor condition and much too light. Numbers 98-B, 104-A, 106-A, 106-B, and 107-A are especially poor, and there have been new members put in with the idea of strengthening them, but in my opinion no benefit has been derived from that operation, as the additional members put in can not be adjusted to work in unison with the original bridge members. These bridges as well as No. 101-A, a through plate girder, should be rebuilt promptly, and pending such rebuilding should be supported on intermediate bents. All the masonry of the bridges is in very fair condition; the ties and guard timbers are standard and in fair to good repair. The bridges on the Hopewell branch are in very good condition, except that the masonry of No. 504-B needs repairs, which are arranged for; the ties and guard timbers are standard and in fair condition; no inside guard rails are maintained. The bridges of the Newburgh, Dutchess & Connecticut division are in very fair condition; some are rather light, but of sufficient strength for the class of motive power and rolling stock operated over that line, and arrangements are made for replacing those needing it; the masonry is generally in first-class condition; ties and guard timbers standard and properly maintained and on nearly all of them inside guard rails have been placed. A large proportion of the bridges on the entire road would be benefited by an additional coat of paint

to prevent injury from rust. There are no wooden-span bridges remaining in the roadway of any of the lines and the only bridges of that character are for overhead highway and farm crossings and are apparently properly maintained. All overhead obstructions less than 21 ft. above the track are protected by warning signals. Attention was directed to some of them where "ticklers" have become entangled and should be straightened.

Pile and framed-bent trestles, of which there are many, are generally in good condition; quite extensive renewals and repairs have been made since last inspection, and two very extensive ones on the Poughkeepsie & Eastern, as well as some smaller ones, have been replaced with arch or box culverts and filling, and arrangements are made for replacing most of those on the Poughkeepsie & Eastern with permanent structures and for making necessary repairs and renewals elsewhere. The open culverts and cattle passes on all the lines, excepting the Poughkeepsie & Eastern, have generally good masonry; there is some poor masonry on the Poughkeepsie & Eastern, to which attention was directed. All are apparently in safe condition for the present, and arrangements are made for rebuilding or replacing those needing it; the ties and guard timbers on all of them are of standard dimensions and very well maintained. The arch and box culverts and iron-pipe drains are generally in very good condition.

The standard dimensions of cross-ties are 6 x 8 in., 8 ft. in length, and are laid at the rate of 2816 to the mile of track. On the main line they are about 70 per cent. chestnut, 20 per cent. mixed ties treated, and the balance oak; on the Rhinecliff branch, East Stamfordville division, and Hopewell branch, about 90 per cent. chestnut and 10 per cent. oak; on the Newburgh, Dutchess & Connecticut division 85 per cent. chestnut, 5 per cent. treated ties, and the balance oak. The ties are generally in fair condition, and extensive renewals are being made. Very extensive renewals were made last year on the Poughkeepsie & Eastern, and additional renewals are being made this year. All cross-ties are fairly well spaced and full spiked.

The main line has 21.00 miles of track laid with 60-lb., 39.23 with 70-lb., 6.50 with 79-lb., 11.80 with 80-lb., and 2.20 with 100-lb. steel rail. The 60-lb. rails are connected by angle plates 24 in. in length with 4 bolts; the 70-lb. rails by angle plates 24 in. in length with 4, and 36 in. with 6 bolts; the 79-lb. rails by angle plates 30 in. in length with 6 bolts; the 80-lb. and also the 100-lb. rails by angle plates 24 in. in length with 4 bolts; the 60-lb. rail, which is on the Poughkeepsie & Eastern, is somewhat worn and considerable renewals will be needed. There are some worn rails on that portion of the road laid with 70-lb. and 79-lb. rails, especially west of Poughkeepsie bridge and between Medina and Campbell Hall. It was also noted that there are a few Fisher joints still remaining on the 70-lb. rail; most of them, however, have been replaced with angle plates, and arrangements are made for replacing the balance of them. The Rhinecliff division has 21.50 miles laid with 60-lb. and the remainder, 24.37 miles, with 70-lb. steel rail; the 60-lb. rails are connected by angle plates 24 in. in length with 4 bolts, the 70-lb. rails partially by angle plates 24 in. in length with 4 bolts, and the remainder with Fisher joints. The rail is in fair condition for the light traffic. A few cracked angle plates were observed, which should be replaced, and some loose bolts noted; all the connections were full bolted. The East Stamfordville division is laid entirely with 70-lb. steel rail connected by Fisher joints. The rail is in fairly good condition considering the light traffic. The Hopewell branch is laid entirely with 70-lb. steel rail connected by angle plates 30 in. in length with 6 bolts. The rail is in fair condition; all angle plates full bolted and no loose bolts observed. The Newburgh, Dutchess & Connecticut division has 43.69 miles laid with 60-lb. and the remainder with 74-lb. steel rail; the 60-lb. rails are connected by angle plates 24 in. in length with 4 bolts, and 74-lb. rails by angle plates 36 in. in length with 6 bolts. The rail is in very fair condition; all connections full bolted and the bolts tight.

The main-track switches, excepting one 3-throw stub switch on the Rhinecliff division at Red Hook, are split point. Nearly all switch stands are rigid. Switch and semaphore lamps show red light for danger and green for

safety; yellow is used as a caution signal. Nearly all frogs of the main line, East Stamfordville division, Hopewell branch, and Newburgh, Dutchess & Connecticut division, are spring rail. Most of the frogs on the Rhinecliff branch are rigid. All switches and frogs are in fairly good condition. Derailing switches are in all sidings where their use appears necessary. Some of them however lack targets.

The alignment and surfacing of track is from fair to good, and the outer rail on curves about correctly elevated for the speed at which the trains are scheduled. The main tracks are ballasted with gravel and a little cinders, generally in from medium to fair quantity. Much of the Poughkeepsie & Eastern railroad however is very lightly ballasted, and in consequence, during wet or freezing weather, the track gets out of alignment and surface. The track sections of the main line are about $5\frac{3}{4}$ miles in length, of the Rhinecliff division $7\frac{1}{2}$ miles in length, of the East Stamfordville division 7 miles in length, of the Hopewell branch 6.2 miles in length, and of the Newburgh, Dutchess & Connecticut division 5 miles in length, and the force employed upon each section consists of a foreman and 4 laborers. Each gang is provided with flags and lanterns for protecting its work, and all portions of the road are patrolled daily by some member of the section force.

Two tracks of the Harlem railroad are crossed by the main line at Boston Corners: the crossing is protected by gates, and all trains are required to come to a full stop. One track of the Newburgh, Dutchess & Connecticut division is crossed by the single track of the Hopewell branch at Hopewell Junction: the crossing is protected by an interlocking plant with home and distant signals, and derailing switches in all tracks approaching the crossing. One track of the Newburgh, Dutchess & Connecticut is crossed by a single track of the Harlem railroad at Millertown: the crossing is protected by gates, and all trains are required to come to a full stop. One track of the Fishkill electric railway crosses the Newburgh, Dutchess & Connecticut Division at Matteawan: there are no derailing switches in the track of the electric road, but there is proper protection over the trolley wire; the conductors of the electric railroad are required to pilot their cars across the track of the steam railroad. The Poughkeepsie & Eastern line extending to the hospital at Poughkeepsie is crossed on North street by a single track of the Poughkeepsie City & Wappinger Falls electric railway, and the same electric road crosses a connection between the Poughkeepsie & Eastern and the main line on Parker avenue, Poughkeepsie; at neither of these crossings are there derails in the track of the electric railroad or protection over the trolley wire; the conductors of the electric railroad are required to pilot their cars across the track of the steam railroad.

An interlocking plant is maintained on the main line at Poughkeepsie Junction: it is an 18-lever machine with 13 levers in use. An interlocking plant is also maintained at the crossing of the Newburgh, Dutchess & Connecticut division with the Hopewell branch at Hopewell Junction: it is a 16-lever machine with 14 levers in use.

The movements of trains on all the lines are governed by the telegraphic train order system, and there are semaphore signals placed at each telegraph station to stop trains for orders when necessary.

With the exception of a very small brush on the Poughkeepsie & Eastern, all the lines of the road are free from trees and brush. The fences are of wire, in very fair condition on the Newburgh, Dutchess & Connecticut division, but on the other lines considerably out of repair.

The highway crossings are well graded and planking properly maintained. A few were noted, and attention directed to them, where trees and brush outside the company's right of way interfere to some extent with the view of approaching trains. Officers of the railroad company who accompanied your inspector advise that wherever permission can be obtained from the land owners, such obstruction will be removed. The crossing-signs are of various designs: diamond, triangular, finger-board, and banner form being used. Metallic-slat cattle guards in proper condition are maintained at each boundary of the highways crossed at grade on the line of the Newburgh, Dutchess & Connecticut division and Poughkeepsie & Eastern railway. At most crossings on the other divisions of the road there are no cattle guards.

Four highway crossings of the main line are protected by flagmen and 1 by an electric bell; 1 of the Rhinecliff branch by a flagman, 1 by flagman and gates, and 1 by an electric bell; 1 of the Stamfordville division by a flagman; 1 of the Hopewell branch by a flagman and 3 by electric bells; 3 of the Newburgh, Dutchess & Connecticut division by flagmen, 1 by flagman and gates. The remainder of the highway crossings are protected by crossing-signs only.

The station buildings at many of the places are small, but from the observation I was enabled to make, could not determine that any of them were not sufficient for the requirements. They are generally in fair repair, although many of them, especially those on the Poughkeepsie & Eastern line, are badly in need of paint. The sanitary condition is very good, and waiting rooms in nearly all cases clean and neat. Time-tables are posted, and water for drinking provided; water barrels kept filled and fire buckets are in all stations, also fire extinguishers. The platforms are generally of plank, and with the exception of the one at Fishkill Landing, none were in condition requiring immediate attention. Station employees are uniformed and wear a badge indicating the employment. Very little opportunity was obtained for observing the condition of the equipment. Such as came under observation was apparently in fair condition. All passenger train employees wear uniform.

The principal repairs and improvements noted as made since the inspection of May, 1906, are as follows: about 20 per cent. of all cross-ties have been renewed, and on the Poughkeepsie & Eastern portion of the line 35 per cent. were renewed last year, and an allowance is made to renew 20 per cent. additional of the ties on that portion of the road this year. On the main line, 2.20 miles of new 100-lb. rail, 10 miles of new 80-lb. rail, and 0.38 mile of second-use 70-lb. rail have been laid, replacing worn lighter rail; and on the Newburgh, Dutchess & Connecticut division, 1.50 miles of 70-lb. rail have been laid, replacing worn rail; 10.50 miles of the main-line track have been re-ballasted with gravel, and some cinder used in wet places; 5 miles of the East Stamfordville division have been re-ballasted with gravel; also 3 miles of the Hopewell branch. On the main line, additional stringers, tie, caps, piling, posts, and bracing have been placed on all bridges between Boston Corners and Poughkeepsie and Eastern Junction, so that they are in proper condition for heavy power, pending the renewal of those structures. Between Poughkeepsie Junction and Campbell Hall, 1 wooden bridge has been replaced by an iron bridge, and 1 new plate girder bridge replacing light iron bridge. The Poughkeepsie bridge has been reinforced to the extent that it practically amounts to rebuilding the same, and 5 overhead wooden bridges have been renewed with timber. On the Rhinecliff branch, bridge No. 201, formerly a wooden Howe truss, has been replaced with two spans of steel girder bridge on new masonry; also No. 203, similar structure, replaced by two spans of steel girder bridge and new masonry built; No. 206, also wooden Howe truss bridge, has been replaced with a steel girder bridge, masonry repaired or rebuilt; No. 207, similar structure, replaced in like manner; No. 210, iron beams put in, replacing wooden structures; No. 216, new through plate girder bridge put in, replacing Howe truss; No. 204, formerly wooden stringers, replaced with concrete arch and filling; and No. 221, formerly wooden stringer bridge, replaced with steel girder bridge. On the Hopewell branch, one steel plate girder bridge put in, replacing timber structure. On the Newburgh, Dutchess & Connecticut division, bridge No. 426 has been replaced with rail top and concrete, and bridge No. 445-B, an overhead bridge, formerly of wooden span, replaced with steel girders.

Timber trestles have been rebuilt, replaced, or filled, as follows: On the main line, high trestles east and west of Holstead have been filled, one timber trestle entirely rebuilt, and several others repaired; on the Rhinecliff division, 2 timber trestles have been rebuilt and 1 replaced with covered culvert and filling; on the East Stamfordville division, 4 timber trestles have been rebuilt; on the Hopewell branch, 3 have been rebuilt and 1 replaced with covered culvert and filling; on the Newburgh, Dutchess & Connecticut division 1 replaced with rail top and concrete; stringers placed on 5, and extensive repairs made to other trestles and trestle floors. On the main

line, 1 cattle pass has been replaced with filling; on the Rhinecliff division 2 open culverts and cattle passes have been rebuilt and 1 filled; on the East Stamfordville division 1 has been rebuilt, 1 filled on the Hopewell branch, and 1 on the Newburgh, Dutchess & Connecticut replaced with filling. Six culverts of the main line have been replaced with iron-pipe, and 2 arch culverts of the Rhinecliff division reinforced with concrete; bridge masonry on the Hopewell branch repaired and reinforced. The masonry of 2 open culverts on the Rhinecliff division has been extensively repaired, also 1 cattle pass on the East Stamfordville division. Quite extensive repairs have been made to station and other buildings, and some new ones erected, including an extensive freight house at Poughkeepsie; and some re-painting done. Several metal bridges have also been re-painted; 8.66 miles of wire fence have been rebuilt on the main line, and 6 miles extensively repaired; 1½ miles on the Rhinecliff division rebuilt and 9 miles repaired; 4 miles of new fence constructed on the Newburgh, Dutchess & Connecticut division, and considerable other repairs made to fences.

Recommendations: That necessary widening of cuts and cleaning of ditches, as noted in body of report, be made; that the light bridges on the East Stamfordville division, especially Nos. 98-B, 104-A, 106-A, 106-B, 107-A, and 101-A be replaced as promptly as possible, and that in the meantime the present structures be strengthened by placing temporary bents under them; that the timber trestle on the Hospital branch be replaced or filled in the near future, and that necessary repairs and renewals to the other bridges and trestles, to which attention was directed when inspection was made, be promptly cared for; that inside guard rails be maintained on all bridges and trestles; that the additional necessary renewals of cross-ties be made as promptly as possible; that the worn rail be replaced, new angle plates be put on the Rhinecliff branch where the cracked ones are, and that all loose track bolts be made tight; that the remaining Fisher joints at rail connections be replaced with angle plates; that targets be put on the stands of the derailing switches where now lacking; that necessary ballasting be done, especially on the portion of the main line which includes the Poughkeepsie & Eastern railroad; that fence and cattle guards be maintained, as required by law.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

CHAMPLAIN AND ST. LAWRENCE RAILROAD.

Inspected November 9, 1908. Last previous inspection July 25, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Champlain & St. Lawrence railroad, and respectfully submit the following report:

The Champlain & St. Lawrence railroad is a single-track line, operated by the Grand Trunk Railway Company, and in this State extends from a connection with The Delaware and Hudson Company's railroad at Rouse Point to the Canada boundary, a distance of 1.21 miles, and has approximately 2 miles of sidings and yard tracks. The road is entirely on embankment, which is of full width and proper slope. There is only one curve, apparently of about 3 degrees, located in Rouse Point yard. The grades are practically level.

There are no bridges or timber trestles, and the only openings to grade are two small waterways of 6-ft. span each, and one open cattle guard of 4-ft. span. Each of these openings, except the cattle guard, is crossed by two tracks: main track and siding. Under the main track of the two culverts there are timber abutments, wooden stringers, standard ties, and guard timbers, in good condition. Under the side track of one of the culverts there is the same construction; under the other there is stone masonry, with the same kind of superstructure. They are in good condition throughout. The cattle guard has masonry in bad condition, and it should be rebuilt promptly. There are timber stringers, with rail laid directly upon the stringer. This

kind of construction for cattle guards is pretty nearly obsolete. The stringers and the rails are properly secured in place, but a derailed truck would probably be knocked out from under the car when it struck the opening, causing the wrecking of the train. For this reason, nearly all railroads have abolished the open cattle guard, using wood- or metallic-slat guards in their places. This opening is also used as a waterway, and if it is to be continued as an opening to grade should have masonry rebuilt and ties and guard timbers put on.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and are laid at the rate of 2992 to the mile of track; they are nearly all cedar, well spaced and full spiked. The track is laid with 79-lb. steel rail, connected by angle plates 24 in. in length with 4 bolts. The rail is in good condition, connections full bolted and bolts tight.

The switches are split point and have automatic stands with proper targets. The frogs are spring rail, and in good condition. Timber blocks secured to the tops of the rails are used on sidings where cars are left standing, to prevent their running upon or fouling the main track.

The track is ballasted with gravel in good quantity. The alignment and surfacing of the track are first class, and the outer rail on the curves properly elevated for the moderate speed at which trains run at that point.

No railroads, steam or electric, are crossed at grade, and there are no highway grade crossings in this State.

The right of way is free from trees, brush, and rubbish, and well fenced with wire.

The movements of trains are governed by the telegraphic train order system.

At Rouse Point a station building is used jointly with The Delaware and Hudson Company's railroad, and is in first-class condition throughout. There is no other station used by the road in this State.

Since the last inspection, July, 1907, improvement has been made to yard tracks, and about 6 per cent. of the cross-ties have been renewed.

Recommendation: That the open cattle guard have masonry rebuilt and standard ties and guard timbers put on, or the opening to grade eliminated and metallic- or wooden-slat cattle guards put in at that boundary of the highway crossing. (The highway crossing proper is located in Canada.)

Respectfully submitted,

J. D. SHULTZ,
Steam Railroad Inspector.

CONNECTING TERMINAL RAILROAD.

Inspected August 21, 1908. Last previous inspection November 13, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Connecting Terminal railroad, and respectfully submit the following report:

The Connecting Terminal railroad consists of a series of switching tracks located on what is known as the "Island" in Buffalo, and extending from a connection with the track of the Pennsylvania Railroad Company to the grain elevator and freight warehouses owned by the Connecting Terminal Railroad Company. The main switching tracks comprise about one mile of road, and there are approximately two miles of branches and side tracks. There are no bridges, trestles, or other openings in the roadway.

The cross-ties are in fair condition. The tracks are laid with various weights and patterns of rail, connected by angle and Fish plates. The rail and connections are in fair condition, and the tracks suitable for the purposes used: handling cars to and from the Pennsylvania Railroad Company's track to the elevator and warehouses. Switching is done principally by the Bunalo Creek railroad, although cars are handled there by the various roads which operate on the Pennsylvania tracks at the place where the switches connect.

The road is in suitable condition for purposes used.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

CRANBERRY LAKE RAILROAD.

Inspected August 18, 1908. Last inspection July 22, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: On August 18, 1908, I made an inspection of the Cranberry Lake railroad, and respectfully submit the following report:

The Cranberry Lake railroad connects with the Carthage & Adirondack branch of the Rome, Watertown & Ogdensburg railroad, operated by the New York Central & Hudson River railroad, at Benson Mines, and extends to Wanakena, a distance of 6 miles. There are on the line of the railroad proper about one and a-half miles of siding and yard tracks, but there are, owned by the lumber company to which the railroad belongs, several miles of tracks located beyond Wanakena and extending into the forest, for bringing timber to the mills of the company located at Wanakena. The road is considerably crooked, grades fairly steep and somewhat irregular; the maximum curves are from 10 to 12 degrees; the maximum grade about 100 feet per mile. The cuts and embankments are generally light. Some of the cuts are too narrow to admit of proper ditching, but as the soil is of a gravelly nature no difficulty has been experienced from water remaining on or about the track. Some widening of cuts and construction of ditches has been done since the last inspection. The weak embankments have been strengthened and are now generally of full width.

There are 2 pony truss bridges of timber in the main-line roadway that have been put in since the last inspection, replacing timber trestles; they are of good construction and with an abundance of material; the length of each span is about 45 feet and they are erected on new concrete masonry. At Wanakena, on branch leading to the mills, there are 3 similar spans of about 40 feet each, crossing the Oswegatchie river; they are in good condition and erected on concrete masonry; one pier has settled a little and heavy timber bents have been put in on either side of it to secure the safety of the bridge. There are no timber trestles remaining in the roadway. At last inspection there were 3 large ones: all have been replaced with bridges or culverts and fillings. There are 2 single-span open culverts and 3 consisting of 3 to 4 spans each, with timber blocking in place of bents. They are all very low structures, only three to four feet above the bed of the stream, and they as well as the single-span open culverts are entirely of timber. The stringers, ties, and guard timbers are of standard dimensions and in good sound condition. There are no arch or stone box culverts. At one place, where a timber trestle has been filled, there has been put in a concrete box culvert. At other places cement pipe is used, and there are some timber box culverts remaining; they are however in sound condition.

The cross-ties are of mixed tamarack, hemlock, beech, and other native hardwood timbers; they are 6 in. in thickness, from 6 to 8 in. face, and 8 ft. in length; they are in good condition, and extensive renewals have been made; they are fairly well spaced and full spiked, and on all sharp curves are double spiked on the outside. The main track is laid with 60-lb. steel rail, some worn but in fair condition for the light traffic and moderate speed maintained, 12 to 15 miles per hour. They are connected by angle plates 24 in. in length with 4 bolts. All the connections are full bolted, and no loose bolts were observed.

The main-track switches are split point and have rigid stands with proper targets. Switch lamps, showing red light for danger and white for safety, are on the switches that are used at night. The frogs are rigid. No swings were observed upon which cars are left standing where the grade descends toward the main track, so as to make derailing switches necessary.

The track is ballasted with a medium quantity of sand, gravel, and ore screenings. The alignment and surfacing of the track are fairly good for the moderate speed maintained, and the outer rail on curves properly elevated.

The road runs through the forest for practically its entire length, and the trees have been cut in vicinity of the track; some brush however remains that has grown up recently. No fences are maintained or apparently necessary, as the road runs through forest owned for nearly the entire distance

by the lumber company owning the railroad, and there is no grazing land about the track. There are two highway grade crossings, each properly graded, the planking in good condition and protected by a sign of the diamond form. The section force caring for the track and siding owned by the railroad company consists of a foreman and 12 to 18 laborers. This same force also cares for approximately four miles of track belonging to the lumber company.

The only station building maintained by the company is at Wanakena. It is a wooden building, in proper condition. At Benson Mines, the station of the Rome, Watertown & Ogdensburg railroad is used.

Since the last inspection considerable improvement has been made in widening cuts and embankments and cleaning ditches. Three timber trestles, one of them about 800 feet long and 20 feet in height, have been eliminated: the large one by putting in concrete culvert and filling; the other two, which were from 200 to 400 feet in length, by erection of truss bridges on concrete masonry and filling the remainder. Extensive renewals of cross-ties have been made. Targets have been put on the stands of switches where formerly lacking. The larger portion of the road has been re-ballasted with gravel, sand, and ore screenings, and that work is being continued; and the alignment and surfacing of the track have been improved.

Recommendation: That additional widening of narrow cuts be done and proper ditches made, and that brush in vicinity of track be cut and removed.

Respectfully submitted,

J. D. SHULTZ,

Steam Railroad Inspector.

DANSVILLE AND MOUNT MORRIS RAILROAD.

Inspected August 14, 1908. Last previous inspection August 30, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Dansville & Mount Morris railroad, and respectfully submit the following report:

The Dansville & Mount Morris railroad is a single-track road extending from a connection with the Erie railroad at Mount Morris to Dansville, a distance of 14.60 miles, with 1.75 miles of sidings and yard tracks; 2.35 miles of the roadway are owned by the Erie Railroad Company, but are leased, operated, and maintained by the Dansville and Mount Morris Railroad Company. The general alignment of the road is good. There are long tangents and light curves, none exceeding 4 degrees. The grades are generally light, and for much of the distance the track is practically level. A few cuts on the Mount Morris end of the road are rather narrow and ditches are partially filled; the greater part of the road is on embankment, generally of fair width.

There are 2 iron bridges with concrete masonry: one a through plate girder of about 71-ft. span, and the other a 3-span pony truss 176 ft. total length. There are 8 other structures with iron girders supported on pile or framed bents; all are short spans and are generally in fair condition. They have standard ties but guard timbers are either lacking on most of them or are so small ($2\frac{1}{2}$ x 4 in.) as to be of little value. Nos. 19 and 23 have the small guards, and Nos. 14, 30, 31, 33, and 34 have no guards, a piece of board being nailed to ties to keep them spaced properly. Standard guards should be placed on all these structures. The center bent of No. 33 needs renewal. There are no wooden bridges either in roadway or overhead. There are 16 timber trestles with pile or framed bents; all are low structures and are generally in good condition, with standard ties. The guard timbers are lacking on many or are so small ($2\frac{1}{2}$ x 4 in.) as to be of little value. Nos. 20, 22, 24, 36, and 43 have the narrow guard, and Nos. 1, 3, 4, 5, 8, 9, and 12 have no guard timbers. Standard guards should be placed on these structures; renewals should be made to one or two caps on Nos. 5 and 25; and to stringers on Nos. 3, 4, 22, and 25.

There are 10 open culverts or cattle passes; all have timber stringers and timber abutments. They are generally in fair condition; repairs should be made to the timber abutments of Nos. 21, 26, and 27, and to the stringers of No. 26. There are no arch culverts, the box and pipe culverts are apparently in good condition.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2816 to the mile of track; they are of mixed oak, yellow pine, and chestnut, are well spaced and full spiked; at least 10 per cent. are poor and should be renewed.

The track is laid with 63- and 67-lb. rail connected by angle plates 24 in. in length with 4 bolts. The rail is in fair condition for the light traffic and slow speed maintained. All connections are full bolted and bolts generally tight. All main-track switches are split point, with rigid stands; switch targets are in some cases poor and not well painted. Switch lamps are not used as trains are not operated at night. Frogs are rigid. No sidings were observed where the use of derailing switches appeared necessary.

There is very little material which can be considered ballast. Grass and weeds are growing plentifully between the ties. The alignment and surfacing are good at the south end of line, but only fair on the north end, being poor on that portion of the road leased from the Erie Railroad Company. The track sections are about 7½ miles in length, and the average force maintained on each consists of a foreman and 5 laborers.

There are no grade crossings of steam or electric railroads, and there are no interlocking plants maintained.

The right of way is free from trees, but at the time of inspection there was considerable brush growing on the right of way; or what would be considered right of way, as fences are lacking on the greater portion of the road. Where fenced, the fences are of wire, some in poor repair. The highway crossings are well graded, properly planked, and are protected by signs of the diamond form. Cattle guards are not maintained.

The movements of trains are governed by the telegraphic train order system.

At Dansville there is a fair sized, frame passenger and freight station, in good repair and properly furnished. At Sonyea there is a small, rustic passenger station in good condition. At Mount Morris the station building belonging to the Erie Railroad Company is used.

Recommendations: That about 10 per cent. of the cross-ties be renewed; that switch targets be re-painted and repaired where necessary; that repairs and renewals be made to bridges, trestles, and open culverts and cattle passes as noted in the foregoing report; that brush and weeds on the right of way be cut and removed; that fences be put in proper repair; and that cattle guards be maintained at highway crossings, as directed by law.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

DELAWARE AND EASTERN RAILWAY.

Inspected June 16, 17, and 18, 1908.

To the Public Service Commission, Second District:

GENTLEMEN: On June 16, 17, and 18, 1908, I inspected the Delaware & Eastern railway, and respectfully submit the following report:

The Delaware & Eastern railway consists of a main line extending from Arkville, where a connection is made with the Ulster & Delaware railroad, to a connection with the New York, Ontario & Western railway at East Branch, 37.52 miles; and a branch line which connects with the main line at Andes Junction and extends to Andes, a distance of 8.39 miles, all single track; and has about 4 miles of sidings and yard tracks. The main line for nearly its entire length follows the east branch of the Delaware river; the Andes branch passes through a valley, generally narrow, so that the main line and branch are crooked, with many curves, some of them sharp. Many of these curves can be improved in the process of widening out banks.

The maximum curve on main line is 10 degrees, located at Harvard; and on the branch line 12 degrees, located near Andes. The grades of the main line are generally light, the maximum being 48 feet per mile for about one-half mile near Arkville; the Andes branch has steeper grades, the maximum being 78.7 feet per mile for a considerable portion of the distance.

On account of the location of the road along the east branch of the Delaware river, there are many narrow cuts, many of them being side-hill cuts; on the Andes branch there are several narrow cuts. Many of the slopes are steep, and it would seem that when the road was constructed the slopes were not taken out, one and one-half to one, as they should have been; consequently, on most of the slopes the material washes down, filling the ditches. On some of the slopes loose rock and boulders are embedded, and as the earth washes from around them they are displaced and roll to the track. These slopes should be widened out so as to give proper ditches and drainage, and all rocks and boulders liable to become displaced should be removed. A great many of the embankments are narrow, and there is not sufficient shoulder to the ballast. At many places, where the foot of the embankment extends into the river, there is more or less sliding of the embankment, with the result that the embankment at the top breaks very close to the end of the ties; at such points a riprap wall should be built at foot of slope and additional material filled in to make the banks of proper width. A work train with 25 men is now engaged in widening cuts and embankment; a much larger force could be used to advantage if road is to be put in proper shape in a reasonable time.

The iron bridges are all in good condition and generally well painted; masonry of either concrete or stone; ties and guard timbers are of standard dimensions and all are in sound condition. A few bridges lack guard timbers; inside guard rails are not maintained. There are no long span wooden bridges. There are 5 framed or pile bent timber trestles on main line and 3 on Andes branch, principally hemlock, all of standard construction with proper ties and guard timbers; there are no inside guard rails. There are 20 open culverts and cattle passes on the main line, 2 having been filled since last inspection; 10 have I-beam stringers; 6 have been changed from timber to I-beams since last inspection; 10 have timber stringers, mostly hemlock, but I-beams are on the ground at 5 of the openings to replace the wooden stringers, and 1 opening is to be replaced by iron-pipe. Of these open culverts, 7 have concrete masonry, 8 have cement masonry, and 5 have dry masonry. On the Andes branch there are 5 open culverts and cattle passes with timber stringers, and 1 with I-beam stringers; 3 are carried on cement masonry abutments and 3 on timber bents with plank abutments. On some of the timber stringers common ties are used and no guard timbers in place; ties are badly spaced; should have standard ties, and guard timbers. Attention of the officer of railroad in charge of maintenance was called to an unsafe condition at one of the small openings on the branch line, and necessary repairs were made at once. The arch and box culverts, mainly of concrete, are in good condition. Pipe drains are apparently in good condition.

About 25 per cent. of the cross-ties are yellow pine and the balance hemlock, beech, birch, and other native timbers; the standard dimensions are 6 x 8 in., 8 ft. in length, and they are laid at the rate of 2816 to the mile of track. The cross-ties are fairly well spaced and full spiked.

The track is laid with 67-lb. second-use steel rail, generally in fair condition, connected by angle plates 20, 24, and 30 in. in length with 4 bolts; track laid with suspended joints; many of the connections have loose bolts, and there are a few where a bolt is missing. All main-track switches are split joint, and have automatic stands with proper targets. Switch lamps show red light for danger and white for safety. All frogs are rigid. There are no derailing switches.

The track is lightly ballasted with gravel, and the alignment and surfacing are poor over the greater part of the road; this is chiefly due to the fact that the cuts are narrow so that proper ditches can not be maintained, and embankments are narrow and have settled. The road will require additional

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ballast and considerable work of section forces before the line and surface are brought to proper condition. There are six section gangs of a foreman and about seven men each on main line; one foreman and eleven men on Andes branch. Each gang is furnished with flags and lanterns, and all portions of the road are patrolled daily by some member of the section force.

Some small brush remains on the right of way; grass and weeds were being cut when inspection was made. About 30 per cent. of the right of way has been fenced. A fence gang of six men was at work on Andes branch at the time of inspection. Fences are of woven wire.

There are 21 highway grade crossings, all protected by crossing-signs of the X form. The crossings are fairly well graded. At Wolf Hollow the crossing-sign is on a tree, and partly hidden; it is to be re-located. No cattle guards have as yet been put in, but the wooden slats or bars are being made in the shops and will be placed in track at the highway crossings this season. No mile-posts are erected, miles being marked on nearest telegraph posts.

The movements of trains are governed by telegraphic train order system.

Station buildings are new and apparently ample for the requirements. Only two of the stations, Union Grove and Downsville, have closets. A small, frame, combination station, 16 x 32, has been erected at Dunraven since last inspection.

Recommendations: That the narrow cuts be widened, with proper slope, and all boulders liable to roll on track be removed, and that ditches be cleaned and maintained; that the narrow and weak embankments be reinforced, and where slope extends into the stream proper, riprap or retaining wall be placed, and that low embankments be raised to grade and a proper shoulder be provided for ballast; that the I-beam stringers now on hand be put in as promptly as possible, replacing timber stringers; that the abutments, where necessary, be provided with proper coping or bridge seats for these stringers, and that standard ties and guard timbers be placed on all structures where lacking; that all connections be full bolted and new bolts be furnished to replace old and worn-out bolts which can not be kept tight; that track be put in proper surface and alignment with ballast sufficient for the purpose; that the right of way be properly fenced, and cattle guards with suitable guard-fences be maintained at each boundary of all highway crossings; that closets be provided at stations where they are now lacking.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

THE DELAWARE AND HUDSON COMPANY'S RAILROAD.

Inspected June 3, 4, 5, 6, 8, 9, 10, and 11, 1908. Last previous inspection June 4, 5, 6, 7, 11, 12, and 13, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the lines of steam railroad owned and operated by The Delaware and Hudson Company in this State, and respectfully submit the following report:

Pennsylvania and Susquehanna Divisions.

The portion of the Pennsylvania division in this State consists of that part of the Lackawanna & Susquehanna railroad from a connection with the Susquehanna division at Nineveh, to the Pennsylvania-State line, a distance of 17.65 miles, and has 4.17 miles of second main track and 9.68 miles of sidings and yard tracks.

The main line of the Susquehanna division extends from a connection with the Erie railroad at Binghamton to Albany, 142.59 miles; and has second main track from Harpersville to Delanson, and one mile in Albany yard, making 95.33 miles of second track; and has also 144.14 miles of sidings and yard tracks. The Cooperstown branch connects with the main line at Cooperstown Junction and extends to Cooperstown, 15.78 miles, and from Davenport Junction to Davenport Center, 8.21 miles, both single-track lines,

and has 4.18 miles of sidings and yard tracks. The portion of the road between Davenport Junction and Davenport Center has not been operated for several years; a few cars have at times been stored upon it but no further use made of that line; therefore I made no inspection of it. The Cherry Valley, Sharon & Albany branch connects with the main line at Cobleskill Junction and extends to Cherry Valley, 21.04 miles, single track, and has 1.56 miles of sidings and yard tracks. The Schenectady & Duaneburg branch connects with the main line at Delanson and extends to Schenectady, 13.79 miles, and has 1.26 miles second main track and 10.87 miles of sidings and yard tracks. The work of constructing second main track for the entire length of this branch is nearly completed. The Schenectady & Mechanicville branch connects with the Saratoga & Schenectady branch of the Saratoga division at Glenville Junction and extends to Coons, 9.93 miles, with 2.85 miles of second main track and 3.08 miles of sidings and yard tracks. A track of the Boston & Maine railroad which is alongside is used in connection with the single-track portion of this branch by the two roads, jointly, thus completing a double-track line the entire distance.

Owing to the broken country through which the roads are constructed, the alignment is considerably broken, there being many curves, and while the majority of them are fairly light, some are considerably sharp; curves exceeding 3 degrees have spiraled ends. The grades are also considerably broken and on most of the lines there are some steep and long grades.

The cuts and embankments of the Pennsylvania division are generally of full width and proper slopes. The summit cut and other lighter cuts in its vicinity are through clay and quicksand, and the slopes have slipped and washed to a considerable extent, filling the ditches; a work train with a large force of men is engaged cleaning them. Aside from those places the roadway is well drained. The main line of the Susquehanna division is very well graded. A few cuts through material of a clay or quicksand nature have slopes supported by pile or timber docking. These however are very well maintained. The roadway is generally well drained, although a few cuts were observed where additional cleaning of ditches would be an improvement. The Cooperstown branch is fairly well graded and well drained. The Cherry Valley, Sharon & Albany branch has a few weak embankments that would be benefited by a little strengthening, and some cleaning of ditches is also needed. The Schenectady & Duaneburg and the Schenectady & Mechanicville branches are well graded and thoroughly drained.

The bridges in the roadway of all the lines are of steel or iron and in nearly all cases have first-class masonry abutments and piers. Bridge No. 49 of the Pennsylvania division, over the Susquehanna river, has one abutment which is broken, and the shore end of that span is supported on bents, pending renewal of the masonry. Several of the bridges of the main line of the Susquehanna and Pennsylvania divisions, between Oneonta and the state line on the Pennsylvania division, are rather light for the new class of locomotives now being run over that portion of the road, and are to be renewed. Those considered so light as to cause any anxiety as to their safety have been strengthened by placing timber bents under them, pending their renewal. There is on the Cooperstown & Charlotte branch a very light iron bridge near Hartwick Seminary, which is also supported on bents, pending renewal. No bridges were observed on the other portions of these divisions that are not apparently sufficient for the requirements. It was observed, however, that on the lines of the Susquehanna division cinders had been allowed to accumulate about bridge pedestals and upon the metal structures themselves, which should be removed and the structure kept clear to prevent injury from rust. A large proportion of the bridges should be re-painted, as the paint on them is very poor and the metal is in many cases getting rusty. The only wooden span bridges are for overhead highway or farm crossings, and are apparently properly maintained. These as well as other obstructions which are less than 21 feet above the track are protected by warning signals; the "ticklers" to many of these warning signals, however, have become tangled or removed and should be straightened or replaced.

The only timber trestles, excepting those placed temporarily under bridges

pending renewal, are on the Cooperstown & Charlotte Valley and the Cherry Valley, Sharon & Albany branches; they are of standard construction and in proper repair. The open culverts and cattle passes of the Pennsylvania division main line, Schenectady & Duanesburg and Schenectady & Mechanicville branches of the Susquehanna division, have good masonry, I-beam or rail stringers, and are in proper condition throughout. Those of the Cooperstown branch, with one exception, have abutments of masonry, but the masonry is of an inferior class, and several of them have stringers supported on bents on account of the poor masonry. Those of the Cherry Valley, Sharon & Albany are of the same kind of construction. The abutments to one, a short distance north of Sharon Springs, and another near mile-post 55, to which particular attention was directed, are in very bad condition and should be renewed promptly; and the masonry to several others will also need attention in the near future. On these two lines there are some timber stringers, but in most cases I-beams or rails are used. All are apparently sufficient. The ties and guard timbers on all bridges, trestles, open culverts, and cattle passes are of standard dimensions and properly maintained. Inside guard rails have been placed on a few of the long and high bridges, or those on curves, but in most cases they are lacking. The arch, box, and iron-pipe culverts are generally in good condition. A few small box culverts on the Cherry Valley, Sharon & Albany branch show ends somewhat dilapidated, and will need repairing or replacing with iron-pipe before very long.

The standard dimensions of the cross-ties of all the lines are 7 x 9 in., 8 ft. 6 in. in length, and they are laid at the rate of 2814 to the mile of track. They are very well spaced and full spiked. It was noted, however, that some renewals of spike were needed on account of their being worn by the friction of the rail to the extent that their efficiency had been impaired. The cross-ties of the Pennsylvania division and main line of the Susquehanna division are about 75 per cent. yellow pine, the balance mixed oak and chestnut; of the other lines, about 50 per cent. yellow pine and the remainder mixed oak and chestnut in about equal proportions.

The entire main track of the Pennsylvania division is laid with 80-lb. steel rail connected by angle plates 30 in. in length with 6 bolts. A portion of this rail is considerably worn, and is now being replaced with new 90-lb. rail. The main track of the Susquehanna division has 92.5 miles laid with 90-lb. and the remainder, 145.42 miles, with 80-lb. steel rail, all connected by angle plates 30 in. in length with 6 bolts. The 90-lb. rail is in very fair condition. Much of the 80-lb. rail is considerably worn, and extensive renewals are being made, the new rail put in being 90-lb. weight. The Cooperstown branch has 15.23 miles laid with 62-lb., 8 miles with 56-lb., and the remainder, 0.76 mile, with 80-lb. steel rail. The 80-lb. rails are connected by angle plates 30 in. in length with 6 bolts; the 62-lb. and also the 56-lb. rails by angle and Fish plates 22 in. in length with 4 bolts. The 56-lb. and 62-lb. rails are somewhat worn, but are not in bad condition for the light traffic and moderate speed maintained. The Cherry Valley, Sharon & Albany branch has 14.33 miles laid with second-use 80-lb., 7.76 miles with 67-lb., and the remainder, 1.90 miles, with 62-lb. steel rail. The 80-lb. rails are connected by angle plates 30 in. in length with 6 bolts, and the remaining rail by angle plates 22 in. in length with 4 bolts. Some rails on this line were observed where the ends were battered or checked, and some renewals are necessary. The Schenectady & Duanesburg and the Schenectady & Mechanicville branches are laid entirely with 80-lb. rail connected by angle plates 30 in. in length with 6 bolts, and in good condition. All the connections are full bolted, and practically no loose bolts were observed.

All main-track switches are split point. Those of the Pennsylvania division, main line of the Susquehanna division, Schenectady & Duanesburg and Schenectady & Mechanicville branches, are all electrically connected with the electric block system of signals, so that if the switch is misplaced, the signals governing movements of trains over that track will be at danger. Switch stands are automatic and have proper targets. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. Practically all main-track frogs are spring rail and properly maintained.

Derailing switches are in all sidings where their use appears necessary, and on the main lines many of them are connected by interlocking with the main-track switch stand. Some were observed not so connected, where the stands lack targets.

The main tracks are ballasted with gravel and cinders. There is a good quantity of ballast on the Pennsylvania division, the Schenectady & Duaneburg and Schenectady & Mechanicville branches. On portions of the main line Susquehanna division, also on the Cooperstown, and the Cherry Valley, Sharon & Albany branches, ballast is light. The necessity for additional ballast is especially noticeable on the main line between East Worcester and Worcester, Unadilla and Sidney, and Delanson and Esperance. The alignment and surfacing of the track of the Pennsylvania division, the Schenectady & Duaneburg and Schenectady & Mechanicville branches of the Susquehanna division, are good, and of the Cooperstown, and Cherry Valley, Sharon & Albany branches, fair. Some portions of the main line of the Susquehanna division, especially between Delanson and Esperance, Unadilla and Sidney, East Worcester and Worcester, and between Oneonta and Nineveh, have many low joints and alignment somewhat irregular, owing apparently to light and worn ballast, extremely heavy traffic, heavy motive power, and lack of sufficient track force to meet these conditions. The track sections of the Pennsylvania division are about 5 miles in length, and the force employed upon each consists of foreman and 5 laborers; of the main line Susquehanna division, 4 miles of double track, and the force a foreman and 5 laborers; of the Cooperstown branch, 8 miles in length, and force a foreman and 5 laborers; of the Cherry Valley, Sharon & Albany branch, 5 miles, and force a foreman and 3 laborers; of the Schenectady & Duaneburg and Schenectady & Mechanicville branches, 5 miles, and force a foreman and 4 laborers. All portions of the road are patrolled daily, and at points on the main line considered dangerous on account of high side slopes or for other reasons, regular track walkers, or watchmen, are employed. Each section gang is furnished with flags and lanterns for protecting its work.

The main line of the Susquehanna division crosses at grade two tracks of the United Traction Company (electric) on Broadway, Albany: the crossing is protected by a flagman; there are no derailing switches in the track of the electric railroad, nor protection over the trolley wire. Two tracks of the West Shore railroad at Voorheesville: the crossing is protected by gates, and all trains are required to come to a full stop. One track of the New York, Ontario & Western railway at Sidney: the crossing is protected by an interlocking plant. Two tracks of the Delaware, Lackawanna & Western railroad at Binghamton: the crossing is protected by an interlocking plant. One track of the Binghamton railway (electric) on Robinson street, Binghamton: there are no derailing switches in the track of the electric railroad, but there is proper protection over the trolley wire. The Cooperstown branch crosses at grade the single track of the Oneonta, Cooperstown & Richfield Spring railway (electric) at Cooperstown: there are derailing switches in the track of the electric railroad, to close which the conductors of the electric cars have to cross the track of the steam railroad; there is no protection over the trolley wire. The Schenectady & Duaneburg branch crosses at grade three tracks of the West Shore railroad at South Schenectady: the crossing is protected by an interlocking plant.

Interlocking plants governing the movements of trains are located at Kenwood Junction; Delanson Junction; Cooperstown Junction; Main street, Oneonta; Fonda avenue, Oneonta; New York, Ontario & Western crossing, Sidney; Delaware, Lackawanna & Western crossing, Binghamton; West Shore railroad crossing, South Schenectady; connection of the Schenectady & Mechanicville branch with the Boston & Maine at Crescent; also at west end of Mechanicville yard.

The right of way is free from trees, and there is no brush remaining except in a few places on the main line of the Susquehanna division to protect slopes. The fences are of wire, and on portions of all the lines considerably out of repair.

The highway crossings are very well graded and properly planked. They

are protected with signs of the diamond form, properly placed and generally well painted. Guard-fences are maintained at highway crossings, but no cattle guards. Two highway crossings of the Pennsylvania division are protected by electric bells and the remaining 9 by crossing-signs only; 23 highway crossings of the main line Susquehanna division are protected by flagmen, 7 by flagmen and gates, and 3 by electric bells; 1 of the Schenectady & Duaneburg by a flagman; and 1 of the Schenectady & Mechanicville by an electric bell. The remaining 187 crossings of the Susquehanna division are protected by crossing-signs only.

The Pennsylvania division, main line of the Susquehanna division, the Schenectady & Duaneburg and the Schenectady & Mechanicville branches, are equipped with automatic electric block signals governing the movements of trains. On the Cooperstown and Cherry Valley, Sharon & Albany branches, movements of trains are governed by the telegraphic train order system.

The station buildings are generally in fair to good repair. Some of them are rather old and small, but I was unable to determine from the opportunity offered that they were not sufficient for requirements. The waiting rooms were in practically all cases clean and neat. In some cases, drinking water was not provided, nor time-tables posted. Water in barrels and fire pails, as protection against fire, were maintained in some stations; in others they were lacking. The station platforms are mainly of planking and gravel and in fair condition. At stations where there is water supply and sanitary plumbing the closets are in good condition. At some places, notably Slingerland, where toilets are inside of buildings, with no water supply, they are necessarily offensive; and your inspector does not believe that toilets should be maintained inside of buildings where there is no water supply; nor that outside toilets should be maintained within 100 ft. of the station, as regardless of how well kept, they are bound to be offensive. Outside toilets on practically all portions of these divisions are not well maintained, and in some cases there are none. Station employees are uniformed and wear badges indicating their employment. Restaurants are maintained in stations at Oneonta and Cobleskill.

The passenger equipment appears to be in good condition. The coaches observed were clean, furnished with drinking water, and have emergency tools properly located in the center of the car. Emergency tools are also carried on mail, baggage, and express cars. All the cars are equipped with automatic couplers and air brakes. Passenger trainmen are uniformed and wear badges. The freight equipment observed appeared to be in fair to good repair. All cars are equipped with automatic couplers, and practically all with air brakes. Box cars have ladders on the ends and grab irons on the sides, well secured. The running boards on the tops of the cars appear to be properly maintained. The motive power appears to be in fair to good condition. On the portion of the road from Oneonta to Nineveh, over the main line of the Susquehanna and Pennsylvania divisions, there are being operated locomotives that have 222,000 pounds weight on 8 drivers, and the total weight of locomotive 403,000 pounds. On the locomotives of the so called "Mother Hubbard" type, where the engineman's and fireman's cabs are separate, there is an emergency valve in the cab of the fireman, and signal bells in both the cabs of the engineman and fireman, so they can signal each other if necessary.

The principal repairs and improvements noted as being made since the last inspection, June, 1906, are as follows: About 28 per cent. of the cross-ties on all the lines have been renewed; 70 miles of new 90-lb. rail have been laid on the Susquehanna division main line, replacing worn 80-lb. rail; and 7.57 miles of 80-lb. rail on the Schenectady & Duaneburg branch, replacing worn 80-lb. rail; 5.60 miles of main track of the Pennsylvania division, 30 miles of the Susquehanna division main line, 6 miles of the Cooperstown branch, 2 miles of the Cherry Valley, Sharon & Albany branch, 2 miles of the Schenectady & Duaneburg branch, and 2 miles of the Schenectady & Mechanicville branch, have been re-ballasted with cinders. One timber trestle of the Cooperstown branch has been rebuilt. Twenty-one box culverts of the main line Susquehanna division, 2 of the Cherry Valley, Sharon & Albany branch,

and 12 of the Schenectady & Mechanicville branch, have been rebuilt or replaced with iron-pipe. The abutments of 2 bridges on the Schenectady & Mechanicville branch have been rebuilt. Masonry to open culverts and cattle passes has been repaired as follows: 1 on the main line Susquehanna division, and 4 on the Cherry Valley, Sharon & Albany branch. Four new station buildings have been erected on the Susquehanna division main line, 8 repaired, and 60 re-painted; 5 of the Cooperstown branch, 4 of the Cherry Valley, Sharon & Albany branch, and 5 of the Schenectady & Mechanicville branch have been re-painted. On the Susquehanna division main line 25.87 miles of additional side tracks and yard tracks have been put in and 4.57 miles on the Schenectady & Duaneburg branch. New bridge work has been authorized, materials for same being received, as follows: 5 of the Pennsylvania division in Nineveh yard to be strengthened; the 3-span bridge over the Susquehanna river to have new trusses to replace present light truss, new floor beams and stringers, and 1 abutment rebuilt; on the main line of the Susquehanna division, 20 bridges are to be reinforced, and 6 replaced by stronger structures; also new bridge and abutments to be constructed near Belden. A shaft for ventilating the tunnel on the Susquehanna division main line is being constructed; the depth from the top of the hill to the tunnel is about 156 ft., and the shaft has already been sunk about 80 ft. A new line has been nearly completed from Delanson to Schenectady; a portion of this line is close alongside the present track; in other places it is some distance away; everything on this line is new, including new steel bridges, cattle passes and culverts with concrete masonry.

Recommendations: That necessary cleaning of ditches be done on the Pennsylvania division, Susquehanna division main line, and Cherry Valley, Sharon & Albany branch; that a few places on the Cherry Valley, Sharon & Albany, notably about the ends of bridges where embankments are weak, be strengthened; that the replacing of the light bridges contemplated be made as promptly as consistent; that cinders be removed from bridge seats and from the metal portions of bridges, and that those bridges in need of it be re-painted to prevent injury from rust; that inside guard rails be maintained on all bridges and trestles; that the poor masonry of open culverts and cattle passes on the Cooperstown and Cherry Valley, Sharon & Albany branches, mentioned in the report, be repaired or rebuilt; that warning signals at overhead obstructions be put in proper condition; that necessary replacing of worn rail on Pennsylvania division, main line Susquehanna division, and Cherry Valley, Sharon & Albany branch, be done; that the track spike be carefully examined and those needing it be replaced; that targets be put on the stands of derailing switches, where now lacking; that main line Susquehanna division be re-ballasted in places needing it, and that the track be resurfaced and re-aligned; and that, on account of the light ballast, the extremely heavy traffic and great weight of locomotives used, the track force be increased at least 25 per cent. until such time as track is put in proper condition; that fence and cattle guards be maintained as required by law; that dry closets inside of buildings be removed, and outside ones be not maintained nearer than 100 ft. of the station, and that until this is done those now nearer than 100 ft. of the station be kept in better condition.

Saratoga and Champlain Divisions.

The main line of the Saratoga division (Rensselaer & Saratoga railroad) extends from Albany to Lake Champlain at Whitehall, a distance of 79.14 miles, and has 76.93 miles of second main track and 5.50 miles of both third and fourth main track. The third and fourth main track, however, is used only for electric operation. There are 85.12 miles of sidings and yard tracks. The Saratoga & Schenectady branch connects with the main line at High street, Ballston, and extends to Schenectady, 14.97 miles single track, and has 4.28 miles of second main track and 27.92 miles of sidings and yard tracks. The Adirondack railway branch connects with the main line at Saratoga and extends to North creek, a distance of 56.97 miles, and has branch line from Thurman to Warrensburg, 3.40 miles. This branch line, however, is used only for freight purposes. The entire road is single track.

and has 13.85 miles of sidings and yard tracks. The Glens Falls branch connects with the main line at Fort Edward and extends to Caldwell on Lake George, 15.12 miles single track, and has 16.31 miles of sidings and yard tracks. The Saratoga & Whitehall branch connects with the main line at Whitehall and extends in this State to the Vermont-State line, 6.63 miles single track, and has 0.82 mile of sidings and yard tracks. The Rutland & Washington branch connects with the Fitchburg division of the Boston & Maine railroad at Eagle Bridge and extends to Rutland, Vt. This line crosses and re-crosses the Vermont-State line several times, and there are in this State 32.62 miles of single track and 7.84 miles of sidings and yard tracks. The West Troy & Green Island branch connects with the main line at Watervliet Junction and extends to a connection with the Troy branch at Green Island, a distance of 1.08 miles, and has 1.06 miles of second main track and 0.11 mile of sidings and yard tracks. The Troy branch extends from a connection with the main line at Waterford Junction to Troy, a distance of 5.59 miles, and has 0.43 mile of second main track and 19.78 miles of sidings and yard tracks.

The main line of the Champlain division (New York & Canada railroad) extends from the north end of the Saratoga division at Whitehall to Rouse Point, 112.93 miles, and has 4.67 miles second main track and 47.32 miles of sidings and yard tracks. Lake George branch connects with the main line at Ticonderoga Landing and extends to Baldwin, a distance of 4.91 miles, and has a branch extending from Delano Junction to Ticonderoga, 1.41 miles of single track, and has 2.80 miles of sidings and yard tracks. The Whitehall & Plattsburgh branch connects with the main line at South Junction and extends to Ausable Forks, 19.05 miles single track, and has 4.96 miles of sidings and yard tracks. The Plattsburgh & Montreal branch connects with the main line at Chazy Junction and extends to the Canada line north of Moer's Junction, 12.78 miles, and has 2.05 miles of sidings and yard tracks. The Chateaugay branch connects with the main line at Bluff Point and extends to Lake Placid, 79.61 miles single track, and has 41.08 miles sidings and yard tracks.

The general alignment of the main line Saratoga division, Saratoga & Schenectady branch, Plattsburgh & Montreal branch, and portions of the other lines, is very good. On the other branches, and some portions of the lines above referred to, the road is very crooked, being especially so on the Champlain division main line where the road runs close alongside Lake Champlain, along high, rocky bluffs. The grades of the Saratoga division main line, the Saratoga & Schenectady branch, West Troy & Green Island branch, Troy branch, and Champlain division main line, are generally light and fairly regular; of the other lines of road, considerably steep and somewhat broken, being especially steep on the Glens Falls, Lake George, Whitehall & Plattsburgh, and the Chateaugay branches.

On the Glens Falls branch there are several cuts through material of a gravelly nature which are somewhat narrow, and slopes are upheld by a cobblestone docking. All are in good condition and sufficient. The roadways of all the other lines are well graded, and all are properly drained. There is a tunnel on the main line of the Saratoga division at Whitehall, 750 ft. in length. The bench walls are of stone and the arches of brick. On the main line of the Champlain division there are 3 tunnels through natural rock: one at Ticonderoga 360 ft. in length, one at Port Henry 833 ft. in length, and one near Willsborough 620 ft. in length; all apparently in secure condition. Along Lake Champlain, on the main line of the Champlain division, there are many very extensive rock cuts, slopes apparently secure, and all places considered dangerous are protected by watchmen. There are also along this line of road many embankments extending into the lake; these have been very thoroughly protected by riprap.

All bridges in the roadway are of steel or iron, with stone or concrete masonry, and generally in good condition, well painted, have standard ties and guard timbers, and inside guard rails are maintained on most of them. The bridge seats and the metal structures are free from any accumulation of

cinders or dirt. Bridge No. 7½ on the Saratoga & Schenectady branch has poor ties and guard timbers needing renewal; No. 28 on that line is very light structure and is on bents; No. 29 is also light structure and supported by bents, and has poor masonry. No. 13 of the Glens Falls branch has one abutment which is poor, and that end of the bridge is supported on bents. Bridge No. 38 of the Champlain division main line has poor ties and guard timbers needing renewal. Bridges Nos. 64 and 67 of the Plattsburgh & Montreal branch have very poor masonry and the bridges are supported on bents. Aside from the cases above mentioned, the bridges, masonry, and bridge floors are in good condition, and are apparently sufficient for the class of motive power and rolling stock used on the various lines. There are 3 spans of timber trestle at each end of two iron bridges of the Whitehall & Plattsburgh branch; they are of standard construction and in good repair. Aside from that, there are no timber trestles on the roadway, excepting those used temporarily to support iron bridges pending renewal of masonry of the bridges.

Most open culverts and cattle passes have good masonry, I-beam or rail stringers, and standard ties or guard timbers in good condition. On the Adirondack branch there are a few remaining with timber abutments and timber stringers. All however are in good condition and sufficient. There is one open culvert on the Glens Falls branch near mile-post 63 that has very bad masonry and should be rebuilt or replaced with iron-pipe. On the Rutland & Washington branch there are several with timber abutments. One near mile-post 35 has been partially burned and needs attention; the others are in good condition. On the Lake George branch there are 2 with timber abutments: these have been recently rebuilt and are in good condition. On the Whitehall & Plattsburgh branch there is 1 open culvert near mile-post 11 that has poor masonry and the stringers are supported on bents. On the Plattsburgh & Montreal branch almost all have poor masonry: Nos. 65, 67½, and 68, also one without number near mile-post 184, are especially bad and should be cared for promptly. All arch and box culverts and iron-pipe drains are apparently in good condition.

The standard dimensions of cross-ties on all the lines of road are 7 x 9 in., 8 ft. 6 in. in length, and are laid at the rate of 2816 to the mile of track. On the main line Saratoga division, Glens Falls branch, West Troy & Green Island, and Troy branches, they are 50 per cent. yellow pine, 25 per cent. chestnut, and 25 per cent. oak; on the Saratoga & Schenectady branch, 60 per cent. yellow pine, 25 per cent. chestnut, and 15 per cent. oak; on the Adirondack branch, 40 per cent. yellow pine, 30 per cent. chestnut, 20 per cent. oak, and 10 per cent. cedar; Champlain division main line, Saratoga & Whitehall, and Rutland & Washington branches, 75 per cent. yellow pine, and the remainder about equally divided between oak and chestnut. On the Lake George, Whitehall & Plattsburgh, and Plattsburgh & Montreal branches, they are 40 per cent. yellow pine, 20 per cent. chestnut, 20 per cent. oak, and 20 per cent. cedar; on the Chateaugay branch, all yellow pine. Their general condition is good on all the lines, and they are very well spaced and full spiked.

The main line of Saratoga division has 43.23 miles of main track laid with 90-lb., and the remainder, 112.84 miles, with 80-lb. steel rail, all connected by angle plates 30 in. in length with 6 bolts; the rail is generally in good condition and renewals are being made, as necessary; all of the angle plates are full bolted and bolts tight. The Saratoga & Schenectady branch is laid entirely with 80-lb. steel rail connected by angle plates 30 in. in length with 6 bolts; the rail is in very fair condition, all connections full bolted and bolts tight. The Adirondack branch has 3.77 miles laid with 80-lb., 30.70 miles with 67-lb., and the remainder, 25.90 miles, with 62-lb. steel rail; the 80-lb. rails are connected by angle plates 30 in. in length with 6 bolts, the remainder of the rails by angle plates 24 in. in length with 4 bolts; the 80-lb. rail is in first-class condition; the lighter rail is somewhat worn and some renewals will be needed soon. The Glens Falls branch has 0.95 mile laid with 80-lb., and the remainder, 14.17 miles, with 67-lb. steel rail; the 80-lb. rails are connected by angle plates 30 in. in length with 6 bolts, and the 67-lb. rail by angle plates 24 in. in length with 4 bolts; the 80-lb. rail is in good condition; the

67-lb. considerably worn, and portions of it will need renewal soon. The Saratoga & Whitehall and the Rutland & Washington branches have 13.09 miles laid with 80-lb., 5.21 miles with 67-lb., and 20.95 miles with 62-lb. steel rail; the 80-lb. rails are connected by angle plates 30 in. in length with 6 bolts, and the remaining rail by angle plates 24 in. in length with 4 bolts; the 80-lb. rail is in very good condition, and the 67-lb. rail in fair condition; the 62-lb. rail is much worn and is now being replaced with second-use 80-lb. The West Troy & Green Island and Troy branches are laid entirely with 80-lb. steel rail connected by angle plates 30 in. in length with 6 bolts; the rail and connections are in good condition.

The main line of the Champlain division has 38.86 miles laid with 90-lb., and the remainder, 78.74 miles, with 80-lb. steel rail, all connected by angle plates 30 in. in length with 6 bolts; the 90-lb. rail is in good condition; some portions of the 80-lb. rail, notably between Douglass and Port Kent, is getting considerably worn and will need renewal soon. The Lake George branch is laid entirely with 62-lb. steel rail, connected by angle plates 24 in. in length with 4 bolts; the rail is somewhat worn, but in fair condition for the light traffic and moderate speed maintained; the connections are full bolted and the bolts tight. The Whitehall & Plattsburgh branch has 5.75 miles laid with 67-lb., and the remainder, 13.30 miles, with 62-lb. steel rail, all connected by angle plates 24 in. in length with 4 bolts; the 62-lb. rail is considerably worn and some renewals will be needed soon; the traffic of this branch, however, is light and the speed of trains moderate; the rail connections are in proper condition. The Plattsburgh & Montreal branch is laid entirely with 62-lb. steel rail connected by angle and Fish plates 22 in. in length with 4 bolts; the rail is considerably worn, but as the traffic on this branch is extremely light and the speed of trains moderate, extensive renewal will not be necessary at this time; all the connections full bolted and bolts tight. The Chateaugay branch is laid entirely with 80-lb. steel rail connected by angle plates 30 in. in length with 6 bolts; the rail and connections are in first-class condition.

The main-track switches, with the exception of those of the Plattsburgh & Montreal branch, are split point and have automatic stands; all but one of the switches of the Plattsburgh & Montreal branch are stub; all have proper targets; switch and semaphore lamps show red light for danger and green for safety; yellow is used as a caution signal. Switches of the main line Saratoga division, the Glens Falls branch, the main line of the Champlain division between Whitehall and Plattsburgh, and Saratoga & Schenectady branch between Schenectady and Glenville Junction, are electrically connected with the automatic block signals. Main-track frogs are mainly spring-rail and are properly maintained. Derailing switches are in all sidings where their use appears necessary, and in some cases are interlocked with main-track switch stands. Some of these not so interlocked have stands which lack targets.

About 20 miles of the track of the Saratoga division main line are ballasted with broken stone. The remainder of that line, as well as the other lines, is ballasted with gravel, cinders, sand, and ore screenings in fair to good quantity. The alignment and surfacing of the main line tracks are first class, and of the branch lines very good; the outer rail on curves is properly elevated for the speed at which trains are scheduled. The track sections of the Saratoga division main line are 4 miles in length of the double-track; the Saratoga & Schenectady branch, 5 miles in length. The Adirondack railway, Glens Falls branch, Saratoga & Whitehall, and Rutland & Washington branches, West Troy & Green Island, and Troy branches, Champlain division main line, Lake George branch, Whitehall & Plattsburgh branch, and the Plattsburgh & Montreal branch, are 5 miles in length, and the force employed upon each section consists of a foreman and 4 laborers. The sections of the Chateaugay branch are 5 miles in length, and the force a foreman and 5 laborers. Each gang is furnished with flags, lanterns, torpedoes for protecting its work, and all parts of the road are patrolled daily. At places considered dangerous, regular track walkers and watchmen are employed.

The main line of the Saratoga division crosses at grade one freight siding of the New York Central & Hudson River railroad at Albany: the crossing is protected by an interlocking plant; one track of the United Traction Company operated by horse cars only on North Ferry street, Albany: the crossing is protected by a flagman; two tracks of the Schenectady railway (electric) at 19th street, Watervliet: the crossing is protected by an interlocking plant, there are derailing switches in the track of the electric road and proper protection over the trolley wire; one track of the United Traction Company (electric) on Main street, one on Mohawk street, and one on Ontario street, Cohoes: each crossing is protected by a flagman, there are no derailing switches in the track of the electric road, nor protection over the trolley wire; one track of the Hudson Valley railway (electric) on Park avenue, Mechanicville: the crossing is protected by a flagman, there are derailing switches in the track of the electric road and proper protection over the trolley wire; one track of the Boston & Maine railroad at Mechanicville: the crossing is protected by an interlocking plant; one track of the Hudson Valley railway (electric) at Fort Edward: the crossing is protected by a flagman, there are derailing switches in the track of the electric road and proper protection over the trolley wire. The Troy branch crosses at grade one track of the Hudson Valley railway at Waterford: the crossing is protected by an interlocking plant, there are no derailing switches in the track of the electric road, nor protection over the trolley wire; two tracks of the United Traction Company (electric) on Broad street, Waterford: the crossing is protected by a flagman, there are no derailing switches in the track of the electric road, nor protection over the trolley wire; one track of the United Traction Company on Tibbets avenue, Green Island: the crossing is protected by a flagman, there are no derailing switches in the track of the electric road nor protection over the trolley wire. The Saratoga & Schenectady branch crosses at grade one track of the New York Central & Hudson River railroad at Schenectady: the crossing is protected by a ball signal and all trains are required to come to a full stop. The Glens Falls branch crosses at grade one track of the Hudson Valley railway at Glens Falls: the crossing is protected by a flagman, there are no derailing switches in the track of the electric road nor protection over the trolley wire. The main line of the Champlain division crosses at grade one track of the Plattsburgh Traction Company's railroad (electric) near Cliff Haven: the conductors of the electric railroad are required to pilot their cars across the track of the steam railroad; there are no derailing switches in the track of the electric road nor protection over the trolley wire; one track of the Rutland railroad at Rouse Point: the crossing is protected by a ball signal and all trains are required to come to a full stop. The Plattsburgh & Montreal branch crosses at grade three tracks of the Rutland railroad at Mooer's Junction: the crossing is protected by a ball signal and all trains are required to come to a full stop before crossing.

Interlocking plants governing the movements of trains are located at Livingston avenue, Albany; Watervliet station; Waterford wye; West Waterford junction; south end Mechanicville yard; north end Mechanicville yard; High street, Ballston; Walton street, Saratoga; Waterford; Troy drawbridge; drawbridge at South Bay; Ticonderoga, and Coopersville; also at connection of the Chateaugay branch with the main line at Bluff Point.

The right of way is clear and clean, and opposite grazing land fenced, generally with wire; the fences are in places considerably out of repair.

All highway grade crossings are well graded and the planking properly maintained. Crossing-signs are of the diamond form, properly located and well painted. Twenty-four highway crossings of the Saratoga division main line are protected by flagmen, 34 by flagmen and gates, and 18 by electric bells; 1 of the Saratoga & Schenectady branch by flagman; 4 of the Adirondack railway by flagmen, and 1 by flagman and gates; 3 of the Glens Falls branch by flagmen, 1 by flagman and gates, and 3 by electric bells; 1 of the Saratoga & Whitehall and Rutland & Washington branches by flagmen, 3 by flagmen and gates, and 8 by electric bells; 4 of the West Troy & Green

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Island and Troy branches by flagmen, and 5 by flagmen and gates; 3 of the Champlain division main line by flagmen and gates, 5 by electric bells; and 2 of the Lake George branch by electric bells. There are on the Saratoga division 166 crossings, and on the Champlain division 156 crossings, that are protected by crossing-signs only.

The movements of trains on the main line of the Saratoga division, the Glens Falls branch, the portion of the Saratoga & Schenectady branch from Schenectady to Glenville Junction, and the main line of the Champlain division from Whitehall to Plattsburgh, are governed by automatic electric block signals; and on the other portions of all lines by the telegraphic train order system.

The station buildings are in the same general condition and are similarly equipped to those of the Pennsylvania and Susquehanna divisions, and the same remarks apply.

The same class of equipment is used as on the Pennsylvania and Susquehanna divisions, except that the very heavy class of locomotives is not operated; and the same remarks apply to equipment as on the report of inspection of those divisions.

The principal repairs and improvements observed as having been made since the last inspection, June, 1906, are as follows: About 28 per cent. of the cross-ties of all the lines (excepting the Chateaugay branch, which was entirely rebuilt about three or four years ago) have been renewed; 14.73 miles of new 90-lb. rail have been laid on the Saratoga main line, replacing worn 80-lb. rail; 0.37 mile of 80-lb. re-laying rail on the Adirondack branch, replacing worn 62-lb. rail; 0.75 mile of 80-lb. rail on the Glens Falls branch, replacing worn 67-lb. rail; 11.67 miles of second-use 80-lb. rail on the Rutland & Washington branch, replacing worn 62-lb. rail, and 38.86 miles of new 90-lb. rail on the Champlain division main line, replacing 80-lb. rail. Ten miles of track of the Saratoga division main line have been re-ballasted with broken stone, 18 miles with gravel, and 10 miles with cinders; 3 miles of the Saratoga & Schenectady branch with cinders; 4 miles of the Adirondack branch with cinders; 1 mile of the Glens Falls branch with cinders; 5 miles of the Saratoga & Whitehall branch with cinders; 2 of the Rutland & Washington branch with gravel, 1 with cinders, and 1 with ore screenings; 36 miles of the Champlain division main line with cinders and 10 with ore screenings; 2 miles of the Lake George branch with cinders; 2 miles of the Whitehall & Plattsburgh branch with gravel and 6 with cinders; 6 miles of the Plattsburgh & Montreal branch with cinders; 1 mile of the Chateaugay branch with cinders and 9 with ore screenings. Bridges Nos. 5, 7, and 8 of the main line Saratoga division have had additional spans put in for second main track; new double-track bridge built over the line of the barge canal at West Waterford, and an overhead bridge north of Ballston replaced by a plate girder bridge. Necessary repairs have been made to open culverts and cattle pass masonry at various places, and one on the Saratoga division main line rebuilt; extensive repairs and renewals have been made to ties and guard timbers of bridges, open culverts, and cattle passes, and inside guard rails placed on a large number of bridges; 48 arch and box culverts of the Saratoga division main line have been rebuilt or replaced with iron-pipe; 3 of the Saratoga & Schenectady branch; 1 of the Adirondack branch; 11 of the Glens Falls branch; 26 of the Champlain division main line; 13 of the Whitehall & Plattsburgh branch; 13 of the Plattsburgh & Montreal branch, and 23 of the Chateaugay branch. The masonry of bridges Nos. 5, 7, and 10 of the Saratoga division has been rebuilt or extended for second main track, and of No. 8 extended, and new abutments for bridge over the barge canal at Waterford, constructed; the masonry to a number of the other bridges has been repaired and re-pointed; the masonry to 6 open culverts and cattle passes on the main line of the Champlain division has been rebuilt or extensively repaired; also 1 of the Whitehall & Plattsburgh branch; 1 of the Plattsburgh & Montreal branch, and 1 of the Chateaugay branch. Six new station buildings have been erected on the Saratoga division main line, 6 extensively repaired, and 42 re-painted; 13 iron bridges of that line have also been re-painted; 4 station buildings and 1 iron bridge of the Saratoga & Schenectady branch have been re-painted; 1 station building of the Adiron-

dack branch extensively repaired and 10 re-painted; 1 new building erected on the Glens Falls branch, 5 re-painted, and 2 iron bridges re-painted; 6 station buildings of the Rutland & Washington branch re-painted, and 2 of the West Troy & Green Island branch; 7 new station buildings have been erected on the main line of the Champlain division, 10 extensively repaired, and 27 re-painted; 4 of the Whitehall & Plattsburgh branch, and 5 of the Plattsburgh & Montreal branch, re-painted; 1 new station building erected on the Chateaugay railroad, 2 repaired, and 15 re-painted. Ten and fifty-four hundredths miles of fence of the Saratoga division main line, 14.91 miles of the Adirondack railway, 10.57 miles of the Champlain division main line, and 9.50 of the Chateaugay branch, have been rebuilt. New third and fourth main tracks have been constructed from north of Ballston to Saratoga (used for electric operation), and 0.26 mile of new siding put in for the same purpose. A new yard with 13.53 miles of new track has been built at Mohawk on the Saratoga & Schenectady branch, some extension made to yard at Rouse Point, and a track built to the Canada line in connection with a road being constructed from that point to a connection with the Canadian Pacific railroad in Canada. Smaller additions have been made to various other yards. A second main track on the Saratoga division main line is being constructed between Watervliet and Waterford Junction, and about 5 miles of it completed and in operation; for a large portion of this distance there was previously only a single track. The electric block signal system has been greatly extended, and now nearly the entire main line of the road and more important branches are equipped with automatic electric block signals.

Recommendations. That bridge No. 7½ of the Saratoga & Schenectady branch have new ties and guard timbers put on; that bridge No. 28 of that line, which is too light, be replaced with a stronger structure; that No. 29, also too light, be replaced and have masonry rebuilt; that poor abutment to bridge No. 13 of the Glens Falls branch be rebuilt, and that new ties and guard timbers be put on bridge No. 38 of the Champlain division; that masonry be rebuilt to bridges Nos. 64 and 67 of the Plattsburgh & Montreal branch; that the masonry to open culvert on the Glens Falls branch near mile-post 63 be rebuilt or replaced with iron-pipe; that the timber culvert near mile-post 35 of the Rutland & Washington road, damaged by fire, be rebuilt or replaced; that one on the Whitehall & Plattsburgh branch near mile-post 11 have poor abutment rebuilt, and that Nos. 65, 67½, and 68, also one without number near mile-post 184, have masonry rebuilt, and that necessary repairs be made to masonry of other openings on that line; that the warning signals at overhead obstructions be put in proper repair; that the balance of the much worn 62-lb. rail of the Rutland & Washington branch be replaced, and that some necessary renewal be made to rail on the Plattsburgh & Montreal, Whitehall & Plattsburgh, and Glens Falls branches; also main line Champlain division in the vicinity of Douglass; that the stub switches on the Plattsburgh & Montreal branch be replaced with split point switches; that targets be put on the stands of derailing switches where now lacking; that fences and cattle guards be maintained as required by law; that dry closets inside of buildings be removed, and outside ones of similar character be not maintained nearer than 100 feet of the station, and that until this is done those now there be kept in better condition.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

DELAWARE, LACKAWANNA AND WESTERN RAILROAD.

Inspected August 3, 4, 5, 6, 1908. Last previous inspection July 9, 10, 11, 12, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Delaware, Lackawanna & Western railroad, and respectfully submit the following report:

The Delaware, Lackawanna and Western Railroad Company operates in this State the following named lines of steam railroad: Main line, from the

Pennsylvania-State line near Halstead, Penna., to Buffalo, a distance of 214.71 miles; of this, 6.41 miles, near Waverly, are in the State of Pennsylvania, making the total distance in New York state 208.30 miles, all double track; and it has approximately 208 miles of sidings and yard tracks. The Utica division main line extends from a connection with the Syracuse, Binghamton & New York division at Chenango Forks to Utica, 83.74 miles, and has branch from Richfield Springs Junction on main line to Richfield Springs, 21.77 miles, single track; and has 40.05 miles of sidings and yard tracks. The Syracuse, Binghamton & New York division extends from a connection with the main line at Binghamton to Syracuse, a distance of 79.47 miles, and has 28.45 miles of second main track: the second main track extending from Binghamton to Chenango Forks, and from Cortland Junction to Apulia; there are connected with this division 50.21 miles of sidings and yard tracks. The Cincinnatus branch connects with the main line of the S., B. & N. Y. division at Cortland Junction and extends to Cincinnatus, a distance of 18.23 miles, all single track, and has 1.41 miles of sidings and yard tracks. The Oswego & Syracuse division extends from the northern terminus of the S., B. & N. Y. division at Syracuse to Oswego, a distance of 34.98 miles, single track, and has 25.40 miles of sidings and yard tracks. The Cayuga division connects with the main line at Owego and extends to Ithaca, a distance of 34.41 miles, single track, and has 6.86 miles of sidings and yard tracks.

The general alignment is good, and with few exceptions the curves are moderate and the grades regular. The cuts and embankments of all the lines are of full width and proper slopes and the roadway well drained; sub-drains are very extensively used, with good results.

The steel and iron bridges of the main line are in good condition, well painted, and have good masonry; the ties and guard timbers are of standard dimensions and in good repair; inside guard rails are maintained on all. The bridge over the Chemango river at Binghamton, which consists of several spans of girder bridge, also several spans of concrete arch, shows indications of failure of the concrete masonry. This masonry was built four or five years ago and for a considerable time after construction appeared to be all right; since then in many places it has commenced to scale, the scale not being confined to where there was pressure or any action of water. All loose scale has been removed and effort is being made to determine whether the scaling is to continue. As near as can be determined, the cause of the failure is some defect in the cement used. There is nothing unsafe about this bridge, and it is probable that scaling will not continue to any extent, and the abutments, piers, and arches can be encased in additional concrete with expanded metal, and made all right. Slight indications of similar scaling were observed at a few other places. On the Utica division, Richfield Springs branch, bridge No. 10 has one poor abutment, supported on bents pending renewal of masonry. All the bridges are in good condition, well painted, have standard ties and guard timbers well maintained, and inside guard rails on all. The steel and iron bridges of the other lines are all in good condition, fairly well painted, have standard ties and guard timbers, inside guard rails well maintained, the masonry in fair to good condition, and necessary repairs or renewals being made. There is one drawbridge on the main line: it is in Buffalo yard and beyond the point where passenger trains operate and is suitable and proper for the place and the kind of operation there. A drawbridge which formerly existed on the main line in Buffalo over a slip of the Ship canal at Ohio street is being filled, the company having secured the right so to do. The only other drawbridge on the road is over the Erie canal at Utica: it is protected by an interlocking plant with home and distant signals and derailing switches.

The only wooden bridges maintained are for overhead highway and farm crossings, and most bridges at such places are of iron. All are properly maintained and all low ones are protected by warning signals, in good condition. There are two small trestles remaining on the main line, in Buffalo: they are of framed bent construction, in first-class condition. On the Utica division there are a few low pile bent trestles, in proper condition. On the Cincinnatus branch there are many small pile bent trestles remaining; some

are used in crossing small streams and others for cattle passes; they are in fairly good repair, and arrangements are made for renewing or replacing with permanent structures those needing attention. All open culverts and cattle passes of the main line have fair to good masonry and any needing it are being rebuilt. On the Utica division a few yet remain constructed entirely of wood, but most have good masonry and I-beam or rail stringers, in good condition. On the Syracuse, Binghamton & New York division a few yet remain entirely of wood, but most have masonry and I-beam or rail stringers; all in proper condition. On the Oswego & Syracuse division all have good masonry, I-beam stringers, standard ties and guard timbers, properly maintained. On the Cincinnatus branch a few are constructed entirely of wood; most of them have masonry abutments; I-beam and rail stringers are used; the ties and guard timbers are standard and well maintained. On the Cayuga division some are constructed entirely of wood, but the majority have good masonry with I-beam or rail stringers, standard ties and guard timbers, in good repair. The arch, box, and pipe culverts are apparently all in good condition. Many concrete box or pipe culverts have been put in, replacing open culverts, and concrete structures with covered top used to replace open cattle passes.

The standard dimensions of cross-ties are 7 x 9 in., 8½ ft. in length, and they are laid at the rate of 2416 to the mile of track. On the main line they are about 55 per cent. yellow pine, 40 per cent. oak, and 5 per cent. chestnut; on the Utica division, 45 per cent. yellow pine, 15 per cent. oak, and 40 per cent. chestnut; on the Syracuse, Binghamton & New York division, 50 per cent. yellow pine, 15 per cent. oak, and 35 per cent. chestnut; on the Cincinnatus branch, 10 per cent. oak, and 90 per cent. chestnut; on the Oswego & Syracuse division, 30 per cent. yellow pine, 10 per cent. oak, and 60 per cent. chestnut; on the Cayuga division, 8 per cent. yellow pine, 17 per cent. oak, and 75 per cent. chestnut. All cross-ties are well spaced, full spiked, and in good general condition, necessary renewals having been or being made.

There are about 328 miles of main track laid with 80-lb., 60 miles with 90-lb., 27.62 miles with 91-lb., and 1 mile with 141-lb. girder rail; the rails are connected by angle plates 30 in. in length with 6 bolts; the rail is in very fair condition, and renewals are being made as necessary; all connections are full bolted and all bolts tight. The Utica division has about 80 miles laid with 80-lb. and the remainder with mixed 75-, 67-, and 60-lb. steel rail, connected by angle plates 30 in. in length with 6 bolts, and 24 in. in length with 4 bolts; the 60-lb. rail, which is on the Richfield Springs branch, is considerably worn and renewals are being made; the 67-lb. rail on the main line is also somewhat worn, and renewals are being made as necessary; all the connections are full bolted and bolts tight. The Syracuse, Binghamton & New York division has about ¼ of a mile laid with 141-lb. girder rail and the balance with 80-lb. rail, connected by angle plates 30 in. in length with 6 bolts; the rail is in from fair to good condition; all the connections are full bolted and bolts tight. The Cincinnatus branch track is laid entirely with 60-lb. steel rail, connected by angle plates 24 in. in length with 4 bolts, some rail was observed on this branch that has been worn by slipping drivers of locomotives and should be replaced. The Oswego & Syracuse division has 0.23 miles laid with 67-lb., 0.75 mile with 75-lb., and 25 miles with 80-lb. steel rail, connected by angle plates 24 in. in length with 4 bolts and 30 in. in length with 6 bolts; the rail is in good condition, all angle plates full bolted and bolts tight. The Cayuga division has 16.25 miles laid with 70-lb. and the remainder, 15.16 miles, with 75-lb. steel rail, connected by angle plates 24 in. in length with 4 bolts; the 60-lb. rail is somewhat worn but is in fair condition for the light traffic of the line; all the connections are full bolted and no loose bolts were observed.

All main-track switches are split point and have rigid stands. All those on the main line connecting with the main track, and also on the Syracuse, Binghamton & New York division from Binghamton to Chenango Forks, are connected with the automatic block signal system. Switch stands have proper targets, well painted. Switch and semaphore lamps show red light for danger

and green for safety; yellow is used for caution. Most main-track frogs are spring rail and generally in good condition. Derailing switches are in all sidings connecting with main track where their use appears necessary; on some of the stands, however, targets are lacking.

The main-line tracks are ballasted mainly with gravel; broken stone and slag ballast is being used extensively between Groveland and Buffalo. There is generally a fair quantity of ballast and the new ballasting is being thoroughly done; some portions of the road, however, notably between Bath and Wayland, have some poor ballast, and men are now engaged re-ballasting that portion of the road. The Utica and the Syracuse, Binghamton & New York division main lines are very well ballasted with gravel and cinders; the Cincinnatus branch with medium quantity of gravel and cinders; the Oswego & Syracuse division with gravel and cinders in fair quantity, and the Cayuga division with gravel and cinders in medium quantity, and has been considerably improved. The alignment and surfacing of track of the main line, Utica, and Syracuse, Binghamton & New York divisions, are first class; of the Oswego & Syracuse division good; and of the Cayuga division and the Cincinnatus branch fair, and the outer rail on curves is properly elevated for the speed at which the trains are scheduled. The main-line track sections are approximately 3 miles in length, and the force employed upon each consists of a foreman and 6 laborers; of the Utica division 6 miles in length, and the average force employed upon each is a foreman and 6 laborers; of the Syracuse, Binghamton & New York division 6 miles in length where single track, 3 miles where double track, and the section force consists of a foreman and 6 laborers; of the Cincinnatus branch 6 miles in length, and the average force consists of a foreman and 5 laborers; of the Oswego & Syracuse division 6 miles in length, and the average force employed consists of a foreman and 6 laborers; of the Cayuga division 6 miles in length, and the average force employed consists of a foreman and 6 laborers. Each gang is furnished with flags, lanterns, and torpedoes for protecting its work, and regular track walkers are employed.

The following railroads are crossed at grade by the main line: One track of the Elmira Water, Light & Railroad (electric) on Lake street, Elmira: there are no derailing switches in the track of the electric road, and the wire netting for protection over the trolley wire is too short and should be extended; one track of the Elmira & Cortland branch of the Lehigh Valley railroad at Elmira: protected by a modern and complete interlocking plant; one track of the Rochester division of the Erie railroad at Erwin's: protected by a modern and complete interlocking plant; one track of the Port Morris branch of the Erie railroad at Port Morris: protected by a complete interlocking plant; one track of the Pennsylvania railroad at Port Morris: protected by an interlocking plant; one track of the Buffalo, Bellevue & Lancaster at Cheektowaga: there are no derailing switches in the track of the electric road nor protection over the trolley wire, the crossing, however, is protected by a flagman and by gates; three tracks of the Pennsylvania railroad at East Buffalo: protected by a modern and complete interlocking plant; three tracks of the Buffalo Creek railroad, two of the Pennsylvania railroad, and two of the New York, Chicago & St. Louis railroad, side by side, at what is known as Smith street, Buffalo: protected by disc signals located on a tower: this is a very dangerous crossing and your Commission now has under consideration its elimination or better protection; two tracks of the International railway (electric) on Clinton avenue, Buffalo: there are derailing switches in the track of the electric road but they are too close to the crossing and should be moved back for a distance of at least 75 feet from the steam railroad track; there is proper protection over the trolley wire. By the branch around Buffalo and Black Rock there are crossed two tracks of the International railway on Walden avenue: there are no derailing switches in the track of the electric road but proper protection over the trolley wire; two tracks of the International railway on Genesee street: there are derailing switches in the track of the electric road and proper protection over the trolley wire; one track of the International railway on Bailey avenue: there are derails in the track of the electric road but they

are not in use, and there is proper protection over the trolley wire; two tracks of the International railway on Kensington avenue: there are derailing switches in the track of the electric road and proper protection over the trolley wire. One track of the Erie, Black Rock branch, in North Buffalo yard: there are only switching movements of either road at this place, and the trainmen are required to pilot their cars over the crossing. By the Utica division main line there are crossed: One track of the New York, Ontario & Western railway at Utica: protected by a tilting board signal and all trains are required to come to a full stop; two tracks of the West Shore railroad (operated by The New York Central and Hudson River Railroad Company) at Utica: the crossing is protected by gates, and all trains are required to come to a full stop; one track of the Utica & Mohawk Valley (electric) railway on Whitesboro street, and one on Columbia street, Utica: at each crossing there are derailing switches in the track of the electric road and proper protection over the trolley wire; two tracks of the Utica & Mohawk Valley at New Hartford: there are derailing switches in the track of the electric road and proper protection over the trolley wire: there is a descending grade on the track of the electric road approaching the crossing from the westerly direction, and although the derailing switch is 120 feet from the crossing, on several occasions cars have got away, gone off the derail, and run across the track of the steam road; the grade is not steep, and the cars must have been allowed to run at very unreasonable speed to attain sufficient momentum to have gone that distance upon the ground. By the Syracuse, Binghamton & New York division there are crossed: Four tracks of the Erie railroad at Binghamton: protected by a modern and complete interlocking plant; a wye track connecting this line with the main line at east end of Binghamton yard crosses the two main tracks of the Erie railroad: this crossing is also protected by a modern and complete interlocking plant; one track of the Binghamton railway (electric) on Robinson street, Binghamton: there are no derailing switches in the track of the electric road but proper protection over the trolley wire; one track of The Delaware and Hudson Company's railroad at Binghamton: protected by a modern and complete interlocking plant; one track of the Elmira & Cortland branch of the Lehigh Valley railroad at Cortland: protected by a modern and complete interlocking plant which has been put in since the last inspection was made; one track of the Cortland County Traction Company's road (electric) at Cortland: there are derailing switches in the track of the electric road and proper protection over the trolley wire; one track of the same company's railroad at Homer: there are no derailing switches in the track of the electric road but proper protection over the trolley wire, and the crossing is protected by a flagman; one track of the Syracuse Rapid Transit Railway Company's road (electric) on Grape street, Syracuse: there are no derailing switches in the track of the electric road, but proper protection over the trolley wire; two tracks of the same company's railroad on South Salina street: there are derails in the track of the electric road and proper protection over the trolley wire; two tracks of the same company's railroad on West Onondaga street, Syracuse: there are no derailing switches in the track of the electric road, but proper protection over the trolley wire; two tracks of the same company's railroad on Walton street, Syracuse: there are no derailing switches in the track of the electric road, but proper protection over the trolley wire; two tracks of the same company's railroad on West street, Syracuse: there are no derailing switches in the track of the electric road, but proper protection over the trolley wire; one track of the Auburn branch of the New York Central & Hudson River railroad, now used only as a freight track in Syracuse: the crossing is protected by a modern and complete interlocking plant. By the Cayuga division there are crossed: Two main tracks and four sidings of the Erie railroad at Owego: protected by a modern and complete interlocking plant; one track of the Auburn division of the Lehigh Valley railroad at Owego: protected by semaphore signals, and all trains are required to come to a full stop; one track of the Elmira & Cortland branch of the Lehigh Valley at Corfu: protected by a target signal, and all trains are required to come to a full stop; one

track of the Auburn branch of the Lehigh Valley at Ithaca: protected by semaphore signals, and all trains are required to come to a full stop; one track of the Ithaca street railway at Ithaca: there are no derailing switches in the track of the electric road, but proper protection over the trolley wire.

The right of way is in good condition, free from trees and brush; grass and weeds have been cut and removed; the fences are of wire and in very good repair.

The highway crossings are properly graded, well planked, and protected by signs of the X form, suitably located and well painted. Metallic-slat cattle guards with proper guard-fences are in place at each boundary of all the highways crossed at grade. Twenty-eight highway grade crossings of the main line are protected by flagmen, 30 by flagmen and gates, 38 by electric bells, and the remainder, 133, by crossing-signs only; 16 on the Utica division by flagmen, 9 by flagmen and gates, 24 by electric bells, and the remainder, 72, by crossing-signs only; 18 on the Syracuse, Binghamton & New York division by flagmen, 9 by flagmen and gates, 17 by electric bells, and the remaining 44 by crossing-signs only; 17 crossings on the Cincinnatus branch are protected by crossing-signs only; 13 on the Oswego & Syracuse division by flagmen, 3 by flagmen and gates, 4 by electric bells, and the remaining 5 by crossing-signs only; 2 on the Cayuga division by flagmen and gates, and the remaining 43 by crossing-signs only.

The main line for its entire length, and the Syracuse, Binghamton & New York division from Binghamton to Chenango Forks, are equipped with automatic electric block signals located about 5000 feet apart, and the movements of trains are governed by those signals; on the remaining lines the movements of trains are governed by the telegraphic train order system.

The station buildings are in first-class repair, clean and neat, and the sanitary condition good. Water for drinking is provided, and time-tables are posted in the waiting rooms. Water in pails, fire extinguishers, and at stations where there is a water system, hose are provided for fire protection. The station platforms are of plank, gravel, concrete, and stone screenings. The use of concrete for station platforms has been generally adopted, and as fast as renewals are necessary concrete platforms are put in. At stations where there is a water system sanitary closets are provided and at others outside closets, properly cared for. The station grounds and yards are well kept, and at many of the principal ones are lawns with ornamental plants, shrubs, and flowers. All station and train employees are uniformed and wear badge indicating their employment.

The principal repairs and improvements noted as made since the last inspection are as follows: About 23 per cent. of the cross-ties of the main line, 27 per cent. of the Utica division, 26 per cent. of the Syracuse, Binghamton & New York division, 14 per cent. of the Cincinnatus branch, 34 per cent. of the Oswego & Syracuse division, and 19 per cent. of the Cayuga division have been renewed. In the main-line tracks there have been laid one mile of 141-lb. girder rail, 28 miles of 91-lb. and 40 miles of 90-lb. steel rail, replacing worn 80- and 75-lb. rail; on the Utica division 34 miles of 80-lb. rail, replacing 67- and 75-lb. worn rail; and 13 miles of second-use 75-lb rail, replacing worn 60-lb. rail; on the Syracuse, Binghamton & New York division about $\frac{1}{4}$ mile of 141-lb. girder rail, replacing 80-lb. rail; on the Oswego & Syracuse division $7\frac{1}{2}$ miles of 80-lb. rail, replacing worn 67-lb. rail; and on the Cayuga division 2 miles of second-use 75-lb. rail, replacing worn 60-lb. rail. Approximately 98 miles of the main-line track have been re-ballasted with gravel, stone, and slag; 30 miles of the Utica division with gravel and cinders; 20 miles of the Syracuse, Binghamton & New York division with gravel; 5 miles of the Cincinnatus branch, 10 miles of the Oswego & Syracuse division, and 10 miles of the Cayuga division with gravel and cinders. Very extensive renewals of bridges and bridge masonry have been made, and the work of replacing the old lighter bridges over the entire main line and principal other lines about completed; 29 spans located at various places on the main line, and most of them extensive structures, have been replaced with modern steel bridges and the masonry rebuilt or thoroughly repaired; 4 similar ones of the Utica division and 4 of the Syracuse, Bing-

hamton & New York division have also been replaced in like manner; a 17-span deck girder bridge with solid floor has been put in on the Cayuga division, replacing a pile trestle, and 7 other spans at various places of truss or girder bridges, replacing timber trestles; and 3 iron bridges on the Cincinnatus branch, replacing timber trestles. Five new open culverts or cattle passes have been built on the main line and 6 rebuilt, also 3 arch culverts and 7 box culverts; 5 open culverts and cattle passes of the Utica division rebuilt; 6 of the Syracuse, Binghamton & New York division rebuilt; 4 of the Oswego & Syracuse division; and 6 of the Cayuga division. Extensive repairs have been made to masonry of other bridges, open culverts and cattle passes, arch and box culverts, and a number of iron-pipe put in, replacing stone box culverts. New passenger stations have been erected at Nichols on the main line, Marathon and Apulia on the Syracuse, Binghamton & New York division, Poolville and Paris on the Utica division, and at Cincinnatus on the Cincinnatus branch. Other new buildings, additions, and extensive repairs to buildings, etc., are as follows: On the main line: new gate houses at Waverly, Atlanta, and East Buffalo; hand-car houses at Mt. Morris, Groveland, Atlanta, and Buffalo, Rochester & Pittsburgh Junction; a double tool house at East Buffalo, single tool house at Black Rock; freight house and office building at Elmira extended; new interlocking plant put in at Groveland; single tool houses built at Darien and Buffalo, Rochester & Pittsburgh Junction; yard office at Black Rock; 4 flagmen's houses at Buffalo; 15 fire-hose houses at East Buffalo; new hand-car houses at Kanona, East Buffalo, Atlanta, Groveland, Mt. Morris, Leicester, Cooper's, and a double hand-car house at Corning; new gate houses at Nichols, Cohocton, Leicester, Depew, 3 at Elmira, Groveland; 3 fire-hose houses at East Buffalo; shelter house at Willow Point; canopy over platform at Candor; interlocking tower at crossing of the Lehigh Valley, Elmira; addition built to freight house at Bath; milk shed and platform at Darien; boiler and filter plant installed at Groveland; boiler house and ice house at Elmira; ash conveyer put in and boiler house constructed at East Buffalo; addition to transfer house at East Buffalo; shed over coal hopper at Groveland; coal office built at East Buffalo; casting shed at East Buffalo shops; paint and tank shop at East Buffalo, and a new freight house at Buffalo. On the Utica division: gate house at Galena; extension made to Sauquoit and Waterville freight houses; new hand-car house at North Bridgewater, Richfield Junction, Sherburne, Galena, and Sauquoit; new gate houses at Waterville, Richfield Junction, and Norwich; combination toilet and coal house at Poolville and at Paris; building for use of motive power, track and transportation department at Utica; ice house and creamery at Stillwater and at Chenango Forks. On the Syracuse, Binghamton & New York division: Two new gate houses at Syracuse, one at Homer, and one at Cortland; car repairers' building at Binghamton; telegraph office at Binghamton yard; new hand-car house at Barker's and Little York; new shed over Butternut street and coal trestle at Syracuse; new combination toilet and coal house at Apulia. On the Oswego & Syracuse division: New boiler house and fire-hose house at Oswego. On the Cincinnatus branch: New hand-car house at McGraw, and the Gee Brook station extended. Necessary repairs have been made to other station buildings, and all needing it, re-painted; also re-painting done to bridges where necessary. About 42½ miles of fence of the main line have been rebuilt and 50¼ miles repaired; 61 miles of the Utica division repaired; 18 miles of the Syracuse, Binghamton & New York division rebuilt and 16 miles repaired; all but about one mile of the fences of the Cincinnatus branch have been rebuilt or new fence built where before there was none; 18 miles of the Oswego & Syracuse division repaired; 2 miles of the Cayuga division rebuilt and 5½ miles repaired. About 20.67 miles of additional sidings and yard tracks have been put in on the Buffalo division; 1 mile on the Utica division; 3 miles on the Syracuse, Binghamton & New York division; ¼ mile on the Oswego & Syracuse division; and 0.1 of a mile on the Cayuga division. In addition to this, extensive work has been done in Buffalo elevating tracks, in doing which about 12,500 cubic yards of concrete masonry have been built to uphold embankments.

APPENDIX O: INSPECTION OF STEAM RAILROADS 749

Recommendations: That the much worn 60-lb. rail on the Richfield Springs branch of the Utica division, and the Cincinnatus branch of the Syracuse, Binghamton & New York division, be replaced, and that targets be put on the stands of derailing switches where now lacking.

Respectfully submitted,

J. D. SHULTZ,
Steam Railroad Inspector.

DUNKIRK, ALLEGHENY VALLEY AND PITTSBURGH RAILROAD.

Inspected October 9, 1908. Last previous inspection November 14, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Dunkirk, Allegheny Valley & Pittsburgh railroad, and respectfully submit the following report:

The Dunkirk, Allegheny Valley & Pittsburgh railroad is operated by the Lake Shore & Michigan Southern railway, and connects with the main line of that railroad at Dunkirk. The portion of the road in this State extends from the connection at Dunkirk to the Pennsylvania-State line near Fentonville, a distance of 42.26 miles, single track, and has 6.35 miles of sidings and yard tracks. The general alignment of the road is fair, the maximum curve is 8 degrees: there being 5 curves of that degree between Norton and Lakeside, having a total length of 2861 feet. The grades are broken, and the maximum grade is 74 ft. per mile for about 1800 feet in length between Norton and Lily Dale. The roadway is fairly well graded, cuts and embankments full width, and drainage system good.

The steel and iron bridges are of sufficient strength for the class of motive power and rolling stock operated on the road, and are in good condition. They have standard ties and guard timbers well maintained. Inside guard rails are in place on all of them. The masonry is in fair condition except at three points where the masonry has failed and bridges are supported on pile or framed bents pending renewal. Two of these bridges are between Sinclairville and Gerry, and at one of them timber was on the ground for supporting the bridge and track while abutments were being rebuilt. There are no wooden bridges.

There are 3 timber trestles with pile bents: one of 3 spans, one of 5, and one of 10 spans, all in fair condition, with standard ties and guard timbers and inside guard rails. There is one temporary pile trestle in roadway where an undercrossing is being constructed for an electric railroad. There is one cattle pass with I-beams and masonry abutments, 3 or 4 with wooden stringers and masonry abutments; and two cattle passes or open culverts with T-rail stringers on framed bent abutments; the balance, about a dozen in number, are constructed entirely of timber. The structures generally are in good condition with standard ties and guard timbers. Guard timbers are lacking on the second opening north of Moon station and should be placed. The arch, box, and pipe culverts are apparently in good condition.

The standard cross-ties are 6 x 8 in., 8 ft. in length for white oak, which covers about 70 per cent. of the ties. The balance are chestnut, 7 x 9 in., 8 ft. in length. About 10 per cent. are renewed each year. They are in good condition, evenly spaced, and full spiked.

Eleven miles of main-line track are laid with 70-lb. steel rail connected by angle plates 32 in. in length with 6 bolts; 4 miles are laid with 65-lb., and the remainder, 27.26, with 56-lb. steel rail connected by angle plates 24 in. in length with 4 bolts. The rail is worn but in fair condition, connections full bolted and bolts generally tight.

Main-track switches are split point, both rigid and automatic stands are used, and all have proper targets. Switch and semaphore signals show red light for danger, white for safety, and green for caution. Frogs are rigid. Derailing switches are in all sidings where their use appears necessary. They are not provided with targets, but posts painted white with a black "D" on them are located at each derail.

The track is ballasted for the greater portion of the line with granulated slag; cinders are also used for ballast. The alignment and surfacing are

good, and the outer rails on curves are properly elevated for the speed at which trains are scheduled. The track sections average 5.8 miles in length, and the force employed on each consists of a foreman and 3 laborers. Each gang is furnished with flags, red lights, and torpedoes for protecting its work. All portions of the track are patrolled daily by some member of the section force.

The grade crossings of railroads are as follows:

At Dunkirk one track of the Erie railroad, yard movement only, setting switch sets signals governing movement. At Dunkirk two tracks leading to the Brooks Locomotive Works, protected by tilting board signal set by Brooks' employee when crossing is to be used by them. At Dunkirk one track of the New York, Chicago & St. Louis railroad, and one of the Pennsylvania railroad, side by side: the crossings are protected by tilting board signal, and all trains are required to come to a full stop before crossing. At Falconer Junction two tracks of the Meadville division of the Erie railroad, protected by an interlocking plant.

The right of way is clear and is fenced with wire, generally in fair repair. Mile-posts are maintained.

The highway crossings are well graded and planked, and protected by signs of the diamond form. Cattle guards are not maintained at most of the crossings, wooden-slat form of guard at a few crossings. Two crossings are protected by flagmen, one by electric bell, and 39 by crossing-signs only. Whistle-posts are at the proper distance from the highway crossings; posts should be re-painted.

The movements of trains are governed by the telegraphic train order system.

The station buildings, most of them small, are in good repair and are apparently sufficient for the requirements. The waiting rooms are clean, neat, and properly furnished.

Since last inspection about 10 per cent. of the cross-ties have been renewed; 16.2 miles of track have been re-ballasted with slag and 4½ miles with cinders; two bridges have been re-painted, and 4.4 miles of woven-wire fence have been built.

Recommendation: That necessary repairs be made to bridge masonry, and that cattle guards with proper guard-fences be maintained at each boundary of all highways crossed at grade.

Respectfully submitted,
E. F. VAN HOESEN,
Inspector Steam Railroads.

ERIE RAILROAD.

Inspected November 6-15, 1908. Last previous inspection October 1-9, 1907.
To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the various lines of railroad owned, leased, and operated by the Erie Railroad Company in this State, and respectfully submit the following report:

The Erie Railroad Company operates the following main and branch lines in this State:

New York Division.

	Length of track, in miles.				
	1st main.	2d main.	3d main.	4th main.	Sidings and yard tracks.
Main line.....	90.30	60.30	9.85	0.85	117.22
Newburgh branch.....	18.73	6.38	.....	.....	15.21
Newburgh & N. Y. branch.....	12.65	.....	.....	.....	3.18
Montgomery branch.....	10.43	.....	.....	.....	2.60
Pine Island branch.....	11.64	.....	.....	.....	3.04
Crawford branch.....	10.22	.....	.....	.....	0.92

The portion of the main line in this State extends from the New Jersey-State line near Suffern to Sparrowbush (at west end of Port Jervis yard), all double track and some third and fourth main track: the fourth main track is located east of Suffern to the state line; the third track extends over same territory, and also from Otis Summit to Guymard; the third track is being

extended from Guymard toward Port Jervis in connection with the construction of the new low grade line being built between Guymard and Highland Mills on the Newburgh & New York branch.

The Newburgh branch connects with the main line at Greycourt and extends to Newburgh, and has second main track from Vails Gate Junction to Newburgh.

The Newburgh & New York branch connects with the main line at Newburgh Junction and extends to Vails Gate Junction on the line of the Newburgh branch, single track.

The Montgomery branch connects with the main line at Goshen and extends to Montgomery, single track.

The Pine Island branch connects with the main line at Goshen and extends to Pine Island, single track.

The Crawford branch connects with the main line of the New York, Ontario & Western railway at Crawford Junction and extends to Pine Bush, single track.

The main line is quite crooked, but most curves are light. The grades are long, crossing several summits, and are fairly regular. The Newburgh branch has a good general alignment, and curves are light; the grades are broken but generally light. The Newburgh & New York branch has good general alignment and light curves; the grades are generally light. The Montgomery branch is crooked, but curves are generally light; the grades are light and fairly regular. The Pine Island branch is crooked in the vicinity of Goshen, the remaining portion of the line is fairly straight; the grades are light, and for much of the distance the line is practically level. The Crawford branch has good general alignment and most curves are light; the grades are light but considerably broken.

The cuts and embankments of main line are of full width, the Newburgh branch and Newburgh & New York branch of good width, and the Montgomery and Crawford branches of fair width. The roadway of main line and branches is well drained, sub-drains being used in some of the wet cuts. The Pine Island branch for the greater portion of its length runs through a swamp or bog of black earth, and while the embankment is of good width, the track creeps and rolls, making it necessary to put "points" in track to allow for the movement of rail. There are seven locations of points, one in each rail, or 14 in all. Guard rails are set opposite each point.

On main line the bridges are generally in good condition. No. 44.80 and the next bridge east have bents in front of masonry, due probably to the superstructure being too light. The masonry to the bridges is good. Ties and guard timbers are of standard dimensions and are well maintained. On the Newburgh branch the bridges are generally in good condition. The masonry is in good condition, ties and guard timbers are of standard dimensions and are well maintained. On the Newburgh & New York branch the bridges are generally in good condition, excepting that No. 0.40 is a light structure with timber bent supports at two panel points. A new bridge is to go in here for the Erie & Jersey, the new low grade line which is being constructed from Guymard on the main line to Highland Mills on the Newburgh & New York branch, and which for a distance runs alongside the present Newburgh & New York branch on a different grade, necessitating renewing or extending the present structures. On the Montgomery branch there is but one iron bridge, a deck plate girder; on the Pine Island branch, one iron bridge, a deck plate girder. The masonry of both is in fair condition, and they have standard ties and guard timbers. There are no iron bridges on the Crawford branch. On the main line, Newburgh branch, and Newburgh & New York branch all long and high bridges have inside guard rails.

There are no wooden bridges in the roadway of main line or branch lines. The only wooden bridges are for overhead highway and farm crossings, although iron bridges are also used for overhead crossings. All low bridges are properly protected by warning signals.

There are no timber trestles in the roadway of main line, Newburgh, Newburgh & New York, Montgomery, or Crawford branches. On the Pine Island

branch there are 4 small trestles, the longest consisting of 4 spans. All are of standard construction with pile or framed bents and are in good condition.

On the main line all cattle passes and open culverts have good masonry and all but one have I-beam or iron girder stringers. There is one culvert with wooden stringers, in good condition, which will soon be made a rail floor structure. On the Newburgh branch and the Newburgh & New York branch the open culverts and cattle passes have I-beam stringers and masonry in fair condition. On the Montgomery, Pine Island, and Crawford branches most of the open culverts and cattle passes have masonry abutments, many of them in poor condition, with the stringers supported on timber bents placed in front of abutments. On the Montgomery branch all have wooden stringers except one where I-beams are used. On the Pine Island branch all have wooden stringers. On the Crawford branch 5 have I-beam stringers and the remainder wooden stringers. The ties and guard timbers on all the branches are of standard dimensions and are in fair condition. The arch, box, and pipe culverts on main line and branches are apparently in good condition.

The cross-ties of the main line are about 96 per cent. yellow pine and 4 per cent. oak. The standard dimensions are 7 x 9 in., 8½ ft. in length, and are laid at the rate of 2816 to the mile of track; they are in good condition and are evenly spaced and full spiked. Tie-plates are used on curves and double spiked on all curves over 3 degrees. On the Newburgh branch and the Newburgh & New York branch the cross-ties are about 95 per cent. yellow pine and 5 per cent. oak. The standard dimensions are 7 x 9 in., 8½ ft. in length, and 6 x 8 in., 8 ft. in length; they are in good condition. On the Montgomery branch about 97 per cent. are yellow pine and 3 per cent. oak; on the Pine Island branch 90 per cent. yellow pine and 7 per cent. oak; and on the Crawford branch 95 per cent. yellow pine, 3 per cent. oak, and 2 per cent. chestnut; the standard dimensions are 7 x 9 in., 8½ ft. in length, and 6 x 8 in., 8 ft. in length; they are in fair condition. On main line and branches all ties are well spaced and full spiked.

On main line the entire main track, excepting third main track from Otisville to Guymard, is laid with 90-lb. steel rail connected by angle plates 24 in. in length with 4 bolts, and 34 in. in length with 6 bolts. The third track referred to, and which is used by freight trains, is laid with 74-lb. rail connected by angle plates 40 in. in length with 6 bolts. The rail is all in good condition, connections full bolted and bolts tight. The Newburgh branch has 18.03 miles laid with 74-lb., 6½ miles with 80-lb., and 0.53 mile with 90-lb. steel rail. The 74-lb. rails are connected by angle plates 40 in. in length with 6 bolts, and the remaining rails by angle plates 34 in. in length with 6 bolts. The rail is in good condition, all connections full bolted and bolts tight. The Newburgh & New York branch is laid with 63-lb. steel rail connected by angle plates 24 in. in length with 4 bolts. The rail is in good condition, all connections full bolted and bolts generally tight. The Montgomery branch has 4.81 miles of main track laid with 63-lb., 5.12 miles with 74-lb., and 0.50 mile with 90-lb. steel rail. The 63-lb. rails are connected by angle plates 24 in. in length with 4 bolts, the 74-lb. rails by angle plates 40 in. in length with 6 bolts, and the 90-lb. rails by angle plates 34 in. in length with 6 bolts. The 63-lb. rail is somewhat worn. The 74-lb. and 90-lb. rail is in good condition. The Pine Island branch is laid entirely with 63-lb. rail connected by angle plates 24 in. in length with 4 bolts. The rail is worn and renewals should be made; the connections full bolted and some loose bolts observed. The Crawford branch has 9.71 miles laid with 63-lb., and the balance, 0.51, with 74-lb. steel rail. The 63-lb. rails are connected by angle plates 24 in. in length with 4 bolts, and the 74-lb. rails by angle plates 40 in. in length with 6 bolts. The 63-lb. rail is considerably worn; connections full bolted and a number of loose bolts observed.

On the main line all main-track switches are split point, and where not connected with interlocking have automatic stands. All facing switches are either protected by interlocking or electrically locked and controlled from the towers. On main line and branches the switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. On main line all main-track frogs are spring rail, in good condition. Derailing

switches are in all sidings where their use appears necessary; many are interlocked with the main-track switch stands. On the Newburgh and Newburgh & New York branches all main-track switches are split point and have automatic stands; many have high targets. Nearly all main-track frogs are spring rail. On the Montgomery, Pine Island, and Crawford branches nearly all main-track frogs are spring rail, properly maintained. Nearly all switches are split point. A few Wharton switches yet remain. The stands to split point switches are automatic; to the Wharton switches, rigid. On the branch lines derailing switches are in all sidings where their use appears necessary; some lack targets.

The greater portion of the main-line tracks is ballasted with broken stone; the remainder with gravel and cinders in good quantity. The branch-line tracks are ballasted with cinders and gravel in fair quantity. The alignment and surfacing of main-line tracks are good, as is also the case on the Newburgh and the Newburgh & New York branches. The outer rails on curves are properly elevated for the scheduled speed of trains. On the Montgomery and Crawford branches the alignment and surfacing are fair. On the Pine Island branch the alignment and surfacing are poor on the portion of the road through the low lands where the track creeps and rolls under traffic; on the remaining portion of the branch the alignment and surfacing are fair.

The main line sections average 4½ miles in length, and the force employed upon each consists of a foreman and 9 laborers. The sections on the Newburgh branch average 5 miles, and on the Newburgh & New York branch 6 miles in length, and the force employed on each consists of a foreman and 6 laborers. On the Montgomery branch the sections are about 7 miles in length, with a foreman and 5 laborers on each. On the Pine Island branch, 7½ miles in length, with a foreman and 6 laborers on each; and the Crawford branch, 10.22 miles in length, with a foreman and 6 laborers. Each gang is furnished with flags, lanterns, and torpedoes for protecting its work, and all portions of the road are patrolled daily by some member of the section force.

On the main line, at Middletown, one track of the Wallkill Transit Company's (electric) railroad is crossed at grade: there are derailing switches in the track of the electric road, but no protection over the trolley wire. There are no grade crossings of steam or electric railroads on the Newburgh, the Newburgh & New York, the Pine Island, or Crawford branches. The Montgomery branch crosses two tracks of the New York, Ontario & Western railway at Campbell Hall: the crossing is protected by signals that are interlocked, and all trains are required to come to a full stop before crossing.

Interlocking plants governing the movements of trains in yards, branch connections, crossovers, etc., are maintained at Suffern, Ramapo, Sterlington, West Tuxedo, Arden, Turner, Monroe, Greycourt, Chester, east of Goshen, Goshen, west of Goshen, west of Hampton, Middletown, east of Howells, west of Howells, Whitebridge, Otisville, Guymard, and Sparrowbush, on the main line. On the Newburgh and the Newburgh & New York branches no interlocking plants are maintained excepting at the junctions with the main line. On the Montgomery and Pine Island branches no interlocking plants are maintained except at the junction of these branches with the main line at Goshen; and on the Crawford branch the only plant is the one at the junction with the New York, Ontario & Western railway at Crawford Junction.

The right of way of main line and branches is clean and clear, free from trees and brush. The fences are of wire, board, and stone wall, much in poor condition or lacking. Mile-posts are maintained.

There are 149 highway crossings, protected as follows:

	Flagmen. and gates.	Flagmen bells.	Crossing signs.	Total.
Main line	5	10	14	70
Newburgh branch	2	.....	1	18
Newburgh & N. Y. branch .....	.....	.....	3	15
Montgomery branch	1	.....	.....	17
Pine Island branch .....	.....	.....	14	14
Crawford branch .....	.....	.....	15	15
Total	8	10	18	113
				149

The highway crossings are well graded, properly planked, and are protected by signs of the diamond or X form. No cattle guards are maintained. Whistle-posts are properly located.

The movements of trains from Suffern to West Tuxedo are governed by the automatic electric block system, and from West Tuxedo to Sparrowbush the movements of trains are governed by the manual controlled block system. On the Newburgh branch and the Newburgh & New York branch the movements of trains are governed by the manual controlled block signal system. On the Montgomery, Pine Island, and Crawford branches the movements of trains are governed by the telegraphic train order system.

The station buildings are generally in good condition. Many of the buildings are old and need re-painting. Platforms are of cement, plank, and gravel. Water for drinking is provided and time-tables can be obtained from the agents. The sanitary condition of the stations is generally fair. A number of stations have inside closets, where disinfectants have been freely used, and are in good condition; outside closets, where not kept locked, are generally in bad condition. Station yards and grounds are generally in good condition. The station building at Turner is very old, much out of repair, and should be replaced with a new building.

Recommendations: That fences be repaired and cattle guards be maintained at highway crossings as required by law; that the sanitary condition of outside closets receive attention; and that a new station building be erected at Turner.

New Jersey & New York Division.

The greater part of the New Jersey & New York division is in the State of New Jersey; the portions in this State are as follows: New Jersey & New York railroad, from the New Jersey-State line near Pearl river to Nanuet Junction, 2.30 miles, and from Spring Valley to Haverstraw, 11.55 miles, all single track, with approximately 4 miles of sidings and yard tracks (between Nanuet Junction and Spring Valley, a distance of about 3 miles, trains operate over the Piermont branch track). New City branch, from a connection with the New Jersey & New York railroad at Nanuet Junction to New City, a distance of 4.29 miles, single track, with 0.25 mile of sidings and yard tracks. Piermont branch, from Suffern on the main line to Piermont, a distance of 18 miles, single track, with 3.37 miles of sidings and yard tracks. Northern Railroad of New Jersey, from the New Jersey-State line near Tappan to Nyack, a distance of 5.82 miles, with 2.5 miles of second track and 1.64 miles of sidings and yard tracks.

The New Jersey & New York railroad from Spring Valley to Haverstraw is crooked; curves not generally sharp, although there is one near Haverstraw of 9 degrees. The grades are fairly steep and somewhat broken, the maximum being 85 ft. per mile, near Haverstraw. The New City branch has a good general alignment, with maximum curve of 5 degrees; the grades are somewhat broken but generally light, with a maximum grade of 75 ft. per mile. The Piermont branch has light curves and long tangents; the maximum curve is 6 degrees, at Sparkill; the grades are long but regular, the maximum being 85 ft. per mile. The Northern Railroad of New Jersey between Sparkill and Nyack is very crooked, with maximum curve of 6 degrees; the grades are regular and for much of the distance light; the maximum is 75 ft. per mile, near Sparkill. The cuts and embankments of all the lines are of good width and proper slope except where slopes are upheld by retaining walls, where retaining walls are in good condition. The roadway is well drained and some sub-draining has been done in wet cuts.

On the New Jersey & New York railroad, bridge No. 30.97, over Miner's creek, is old and light, has been for many years and is yet supported by timber and pile bents. It should be renewed. Aside from that, the bridges are in good condition. The New City branch has one small bridge (20 in. I-beam); it has good masonry and is in good condition. On the Piermont branch there are no large bridges; all are in fair condition and have good masonry. On the Northern Railroad of New Jersey there are but 2 bridges, and they are in fair condition. The bridges on all the lines have standard ties and guard

timbers, in good general condition. There are no wooden bridges in the roadway of any of the lines; the only wooden bridges are for overhead highway and farm crossings; they are properly maintained and all low ones are protected by warning signals.

On the New Jersey & New York railroad there is one short piece of pile trestle at the end of an iron bridge; it is of standard construction and is in good condition. There are no trestle structures on the New City branch or the Northern Railroad of New Jersey. On the Piermont branch there are 4 or 5 timber trestles, one of them of 25 spans; all are of standard construction and all in good condition. The ties and guard timbers of all are standard, and in fair condition. There is one open culvert on the New Jersey & New York railroad, with wooden stringers on masonry abutments. There are none on the New City branch. On the Piermont branch there is one with wood stringers and one with I-beams on timber abutments. On the Northern Railroad of New Jersey there is one small open culvert with wood stringers on masonry. The arch, box, and pipe culverts are apparently in good condition.

The cross-ties are as follows:

	Kind of ties:		
	Yellow pine.	Oak.	Chestnut
New Jersey & New York R. R.	80%	10%	10%
New City branch	95%	...	5%
Piermont branch	90%	5%	5%
Northern Railroad of N. J.	90%	10%	....

Standard dimensions are 7 x 9 in., 8½ ft. in length, and 6 x 8 in., 8 ft. in length, both dimensions being used, and they are laid at the rate of 2816 to the mile of track. They are in fair condition. Tie-plates are used on curves.

The rail and fastenings are as follows:

	80-lb.	74-lb.	71-lb.	60-lb.	Total miles
N. J. & N. Y. R. R. ....	....	2.50	2.75	8.60	13.85
New City branch.....	....	4.29	....	....	4.29
Piermont branch	16.00	2.00	....	....	18.00
Northern R. R. of N. J. ....	....	8.32	....	....	8.32

The 60- and 71-lb. rails are connected by angle plates 24 in. in length with 4 bolts; the 74-lb. rail by angle plates 40 in. in length with 6 bolts; the 80-lb. by angle plates 24 in. in length with 4 bolts, and 34 in. in length with 6 bolts; all connections full bolted; a number of loose bolts observed. The rail generally is in good condition, the lighter weight rail being somewhat worn.

All main-track switches are split point, and switch stands automatic for main track. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. Nearly all main-track frogs are spring rail. Derailing switches are in all sidings where their use appears necessary; some of the stands lack targets.

The New Jersey & New York railroad is ballasted with gravel and cinders in good quantity; the New City branch with cinders; the Piermont branch with cinders; and the Northern Railroad of New Jersey with broken stone and gravel in fair quantity. The alignment and surfacing of all the lines are good, and the outer rail on curves properly elevated for the scheduled speed of trains.

The track sections of the New Jersey & New York railroad average about 6 miles in length, and the force employed upon each section consists of a foreman and 5 laborers; of the New City branch, 4.3 miles in length, with a foreman and 6 laborers on each; of the Piermont branch, 6 miles in length, with a foreman and 5 laborers on each; of the Northern Railroad of New Jersey, 5½ miles in length, with a foreman and 7 laborers on each. Section gangs are furnished with flags, lanterns, and torpedoes for protecting their work, and all portions of the road are patrolled daily by some member of the section force.

One track of the Piermont branch and one track of the New City branch cross at grade at Nanuet: the crossing is protected by a target signal, and all trains are required to come to a full stop before crossing. At Sparkill,

one track of the Piermont branch and one track of the Northern Railroad of New Jersey: the crossing is protected by a target signal, and all trains are required to come to a full stop before crossing. The only interlocking plant maintained is at the junction of the Piermont branch with the main line, at Suffern.

The right of way is clear and clean, free from trees and brush. Fences are generally of wire and are in fair condition, although some fencing is lacking. Mile-posts are maintained on the New Jersey & New York railroad south of Nanuet, and on all portions of the other lines.

The highway crossings are protected, as follows:

	Flagmen and gates.	Electric bells.	Crossing signs.	Total
N. J. & N. Y. R. R.	2	3	23	28
New City branch.....	.....	.....	10	10
Piermont branch.....	2	3	2	18
Northern R. R. of N. J.	1	4	3	8
				16

Highway crossings are well graded, properly planked, and protected by signs of the diamond or X form. No cattle guards are maintained. Whistle-posts are properly located.

The movements of trains on the New Jersey & New York railroad and on the Northern Railroad of New Jersey are governed by the manual controlled block system; on the New City branch and the Piermont branch by the telegraphic train order system.

The station buildings are in fair condition; many of them are small, but apparently sufficient for the requirements; their general condition is the same, and they are similarly furnished to those on the New York division, and the same remarks apply.

Recommendations: That bridge No. 30.97 over Miner's creek be replaced, the present bridge being too light; that fences along the right of way and cattle guards at highway crossings be maintained, as required by law.

Delaware Division.

The portions of the Delaware division in this State are from mile-post 90 to bridge No. 2 (mile-post 90.85), and from bridge No. 9 (mile-post 117.80) to Comstocks, mile-post 186.62; the remaining portions of the division are in the State of Pennsylvania. The road follows along the banks of the Delaware river, and is very crooked, with maximum curve of about 6 degrees. The grades are long but regular, the maximum being 69.7 ft. per mile. This division of the road, following as it does the Delaware river, has steep hills adjoining, and the side-hill cuts have slopes that are upheld in many places by retaining walls; retaining and slope walls are also used to protect embankments from the river. The cuts and embankments generally are of full width. The roadway is well drained, sub-drains being used in wet cuts.

The steel and iron bridges are in good condition, generally well painted, have good masonry and standard ties and guard timbers, well maintained, except as hereafter noted. Inside guard rails are on all long and high bridges. Bridges Nos. 16½, 16½, and 17, noted in last inspection report as being light, have been replaced, the first two by half-through plate girders, and No. 17 by an arch. Guard timbers need renewal on first bridge east of Cochecton station, and on No. 15; and some ties should be renewed on bridge No. 18. There are no wooden bridges or timber trestles in the roadway. Overhead bridges for highway and farm crossings are of iron, and where less than full clearance height are protected by warning signals, properly maintained. The New York, Ontario & Western railway crosses overhead at full clearance height. The open culverts and cattle passes have good masonry abutments, I-beam or plate girder stringers, and standard ties and guard timbers, in good condition. The arch, box, and pipe culverts are apparently in good condition.

The standard cross-ties are 7 x 9 in., 8 ft. and 8½ ft. in length, and are laid at the rate of 2816 to the mile of track; about 90 per cent. are yellow pine and 10 per cent. oak; they are evenly spaced, full spiked, and in fair condition, about 13 per cent. having been renewed since last inspection. Tie-

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plates are used on all except the very light curves, and double spiked on the outer side.

On the main track, 138.02 miles are laid with 90-lb., 0.13 mile with 80-lb., and 3.2 miles with 74-lb. steel rail. The present standard angle plates for the 90-lb. and 80-lb. rail are 24 in. in length with 4 bolts; 90-lb. and 80-lb. rails laid previous to 1904 have angle plates 30 in. in length with 6 bolts; the 74-lb. rail is connected by angle plates 40 in. in length with 8 bolts. The 90-lb. and 80-lb. rail are in good condition; the 74-lb. rail somewhat worn but in fair condition. All connections are full bolted and bolts generally tight.

The main-track switches are split point, with automatic stands where not connected with interlocking. All facing, and also outlying, switches where not connected by interlocking are protected by electric locking or distant signals. Switch lamps show red for danger and green for safety. Main-track frogs are spring rail and in good condition. Derailing switches are in all sidings where their use appears necessary, and many of them are connected by interlocking with the main-track switch stands.

The tracks are ballasted with gravel, generally in good quantity; a very small amount of broken stone is used. The alignment and surfacing of track are good, and the outer rails on curves are elevated properly for scheduled speed of trains.

The track sections average about 4½ miles in length, and the force employed on each consists of a foreman and 7 laborers. Each gang is provided with flags, lanterns and torpedoes, and all portions of the track are patrolled daily. Four watchmen are permanently employed to guard places where material may fall or be washed down from the steep hillsides and endanger traffic.

There are no grade crossings of steam or electric railroads.

Interlocking plants governing the movements of trains at yards, crossovers, etc., are maintained at Tusten, Callicoon, Long Eddy, Lordville, Hancock, east of Deposit, west of Deposit, and at Gulf Summit.

The right of way is free from trees, brush, and rubbish. Fences are of wire and board, with some stone walls, and are in only fair condition; some repairs needed. Mile-posts are maintained.

Highway crossings are well graded, although some of the approaches are necessarily steep; they are properly planked and are protected by signs of the diamond form, properly placed and well painted. Wooden-slat cattle guards are maintained at a few crossings, but in most cases cattle guards are lacking. Five crossings are protected by electric bells and 27 by crossing-signs only. Whistle-posts are at the proper distance from crossings.

The movements of trains are governed by the manual controlled block signal system.

The station buildings are in good general condition, clean and neat at time of inspection, and properly furnished. The general remarks regarding stations on the New York division main line apply to this division as well.

About 13 per cent. of the cross-ties have been renewed since last inspection (October, 1907); 19.02 miles of new 90-lb. steel rail have been laid, replacing worn 90-lb., 80-lb. and 74-lb. rail; 1 steel bridge has been replaced with a concrete arch, and 2 light bridges replaced with new half-through plate girders; 4 station buildings have been repaired, 5 re-painted; and 3 bridges have been re-painted.

Recommendations: That renewals be made to bridge ties and guard timbers as noted in this report; that fences and cattle guards be maintained as required by law; and that the outside closet at Long Eddy station be put in good condition.

Susquehanna Division.

The portion of the Susquehanna division in this State consists of that part of the main line from the Pennsylvania-State line near Great Bend, mile-post 201.88, to the west end of Hornell yard, mile-post 332: 130.12 miles of double track, and 135.91 miles of sidings and yard tracks. The Tioga branch extends from the Pennsylvania-State line near Seeley creek to a connection with the Northern Central railway at State Line Junction, a distance of 6.51 miles, single track, with 2.06 miles of sidings and yard tracks.

The general alignment of the main line is good, curves are few and light, except between Corning and Hornell, where they are more frequent; the maximum curve is $6^{\circ} 51'$, west of Corning. The grades are light and for the greater part of the line are practically level: the maximum grade is 32.7 ft. per mile, for a distance of about 500 feet at west end of Corning yard. The Tioga branch is crooked, with maximum curve 7 degrees, located near Pine City. The grades are generally light: the maximum is 63.3 ft. per mile, for about $\frac{3}{4}$ mile near the Pennsylvania-State line.

The cuts and embankments on main line are full width, and proper slopes except where upheld by retaining walls which are well maintained. Drainage system is good and sub-drains are used in wet cuts. The Tioga branch has cuts and embankments of fair width, and ditches are in fair condition.

The steel and iron bridges on main line are in good condition and well painted. Bridge No. 202.99, a deck plate girder, is light, but has a supporting center bent of timber. All the masonry is good and bridges have standard ties and guard timbers, generally in good condition. A few ties should be renewed on bridges Nos. 210.92, 217.50, and some new pieces of guard timber on No. 286.84. Inside guard rails are maintained on all long structures. Between mile-posts 218 and 219 there is a temporary bridge over a broken-down arch: the ties and guard timbers on this bridge are poor, and unless permanent work is to be built there soon the structure should be put in better condition. A new through plate girder bridge, No. 249.88, with concrete abutments, has replaced a shorter deck plate girder span since last inspection. On the Tioga branch there is one through plate girder bridge, supported on timber and pile abutments which are in sound condition. It has standard ties and guard timbers and inside guard rails. There are no wooden bridges in the roadway of the main line; the only wooden bridges are those carrying highways or farm roads over the roadway; these bridges, as well as the iron overhead bridges, are properly protected where not at full clearance height above track. On the Tioga branch there is one through Howe truss span, in good condition; the ties and guard timbers are standard and inside guard rails are maintained.

There are no timber trestles in the roadway of the main line except a temporary structure of 2 spans with timber stringers and pile abutments and center bent, where permanent work has been stopped temporarily by injunction obtained by owner of adjoining land; this temporary structure is in good condition. On the Tioga branch there are 8 trestles with pile bents, of standard construction and in sound condition. The third opening from State Line Junction of 2 spans should have renewals made to cross-ties. All open culverts and cattle passes on the main line have good masonry, I-beam or plate girder stringers, standard ties and guard timbers, properly maintained. On the Tioga branch there are 2 open culverts and cattle passes with I-beam stringers and masonry abutments, 3 built entirely of wood, and one with wooden stringers on masonry abutments; all have standard ties and guard timbers and are in safe condition. The arch, box, and pipe culverts on main line, and the box and pipe culverts on the Tioga branch, are apparently in good condition. An arch culvert on the main line which has fallen in has been replaced by a temporary bridge, as before noted in this report.

The cross-ties on the main line are about 85 per cent. yellow pine and 15 per cent. oak; the standard dimensions are 7 x 9 in., 8 $\frac{1}{2}$ ft. in length, and are laid at the rate of 2816 to the mile of track. About 16 per cent. have been renewed since last inspection. They are well spaced, full spiked, and in good condition. Tie-plates are used on curves, and double spiked. On the Tioga branch the cross-ties are about two-thirds yellow pine and one-third oak; the standard dimensions are 6 x 8 in., 8 ft. in length, and are laid at the rate of 2816 to the mile of track; they are in good condition, fairly well spaced and full spiked, and about 15 per cent. are renewed each year.

On the main line, 252.31 miles are laid with 90-lb., and the remainder, 7.92 miles, with 80-lb. steel rail. The rails are connected by angle plates 30 in. in length with 6 bolts and 24 in. in length with 4 bolts; the 90-lb. rail is in good, and the 80-lb. rail in fair, condition. The connections are

full bolted and bolts generally tight. A number of rails in the vicinity of Horseheads station were observed where moon-shaped breaks in the base had been reinforced by angle plates and rail left in service. On the Tioga branch the track is laid entirely with 63-lb. steel rail, connected by angle plates 25 in. in length with 4 bolts. The rail is considerably worn, but is not yet in bad condition; all connections are full bolted and but few loose bolts were observed.

All main-track switches are split point. Main-line stands are automatic where not interlocked, and operated from block towers; some rigid stands are used on the Tioga branch. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. The main-track frogs on main line are spring rail, and on Tioga branch, rigid. Derailing switches are in all sidings where their use appears necessary, and many of them are interlocked with switch stands.

The main-line tracks are ballasted with gravel and cinders in fair quantity; a small portion of the line ballasted with broken stone. The Tioga branch track is lightly ballasted with gravel and cinders. The alignment and surfacing of main-line tracks are good; of the Tioga branch track, fair; the outer rail on curves is properly elevated for the scheduled speed of trains.

The track sections on main line average about 4 miles in length, double track, and the force employed on each consists of a foreman and from 6 to 10 laborers; on the Tioga branch the average length is 6 miles and the force employed a foreman and 3 laborers. All gangs are furnished with flags, lanterns, and torpedoes for protection, and all portions of the roadway are patrolled daily.

At Binghamton, 2 branch tracks of the Delaware, Lackawanna & Western railroad, connecting its Syracuse and Utica lines with its main track, are crossed at grade, and each crossing is protected by a modern interlocking plant. At Owego, one track of the Cayuga branch of the Delaware, Lackawanna & Western railroad is crossed by 5 Erie railroad tracks: the crossing is protected by a modern interlocking plant. At Elmira, 2 tracks of the Elmira Water, Light & Railroad Company's railroad (electric) are crossed at grade on Water street: there are no derailing switches in the track of the electric road, but there is proper protection over the trolley wire. One track of the same railroad is crossed at grade on Fourteenth street, Elmira: there are no derails in the track of the electric road, but trolley wire has trough protection. At Corning, 2 tracks of the Pennsylvania division of the New York Central & Hudson River railroad are crossed at grade, and crossing is protected by a modern interlocking plant.

Interlocking plants are maintained on the main line east of Kirkwood; west of Kirkwood; east of Binghamton; at each of the D., L. & W. crossings at Binghamton; at Endicott; between Union and Campville; east of Owego; at the crossing of the D., L. & W. at Owego; west of Tioga Center; east of Barton; at Barton gravel pit; at Chemung; east of Elmira; at Northern Central connection, Elmira; at Fifth street, Elmira; west of Elmira; at the connection with the Northern Central railway near Horseheads; west of Horseheads; east of Corning; at the crossing of the Pennsylvania division, New York Central, at Corning; at the connection with the Rochester division at Painted Post; at Erwin; at Addison; at Cameron; at Adrian; at Canisteo; and at Hornell. No interlocking plants are maintained on the Tioga branch.

The right of way is clean and clear, free from trees and brush. The fences on main line are of wire, board, and stone wall; in some places not in good repair, and in some places lacking. On the Tioga branch the fences are in need of repairs on some portions of the line. Mile-posts are maintained on main line and branch.

The highway crossings are well graded, properly planked, and are protected by signs of the diamond or X form, properly located and well painted. Wooden-slat cattle guards are maintained at a few crossings on the main line; at many crossings they are lacking; and none are maintained on the Tioga branch. On the main line, 10 crossings are protected by flagmen, 42 by flagmen and gates, 7 by electric bells, and the remaining 91 by crossing-songs only. The 3 crossings on the Tioga branch are protected by crossing-

signs only. Whistle-posts are maintained at the proper distance from crossings.

The movements of trains on the main line are governed by the manual controlled block signal system; on the Tioga branch by the telegraphic train order system.

The station buildings are in fair condition, and clean and neat at time of inspection. At Painted Post, the appearance of the waiting rooms would be improved by re-painting, and the outside closet is in very poor condition. At Owego, a sanitary water closet for the men should be installed, instead of the present very poor and unsanitary arrangement. The general remarks regarding stations on New York division main line apply to this division as well.

The principal repairs and improvements made since last inspection are as follows: About 16 per cent. of the cross-ties have been renewed on main line, and about 15 per cent. on the Tioga branch; 48.75 miles of new 90-lb. steel rail have been laid in main track, replacing worn and lighter rail; 1 bridge on main line has been replaced with a new steel bridge and the masonry rebuilt, and the masonry of 6 bridges has been repaired; 3 deck I-beam structures have been replaced with reinforced concrete decks; 11 bridges have been re-painted; repairs made to 3 station buildings, and 3 re-painted; a new coal trestle constructed at Hornell; 3.65 miles of fence repaired; 0.75 mile of track laid in Hornell yard; the grade crossing at Halbert's crossing, Chemung, eliminated; and crossing gates installed at West street, Hornell, and South avenue, Elmira.

Recommendations: That renewals be made to cross-ties and guard timbers of bridges and timber trestles as pointed out in this report; that a new and sanitary closet for men be installed at Owego passenger station; that fences and cattle guards be maintained as required by law; and that outside closets at passenger stations be put in better sanitary condition.

Buffalo Division.

	Length of track, in miles: First track.	Second track.	Sidings and yard tracks.
Main line.....	92.24	92.24	
Niagara Falls branch.....	24.01	6.40	
International branch.....	4.50	4.50	
Black Rock branch.....	1.14	...	
Buffalo & Southwestern branch.....	55.78	...	
Total	177.67	103.14	165.0

The main line of the Buffalo division extends from Hornell to Buffalo, all double track. The Niagara Falls branch extends from a connection with the main line at East Buffalo to Suspension Bridge, and from East Buffalo to the connection of the International branch has second main track. The International and Black Rock branches extend from a connection with the Niagara Falls branch at International Junction to Black Rock. The Buffalo & Southwestern branch extends from a connection with the Buffalo Creek railroad at South Buffalo to a connection with the Meadville division at Waterboro. This branch in reality extends to Jamestown, but from Waterboro to Jamestown, a distance of 10.60 miles, it is operated by the Meadville division and used as a second main track, and is treated in this report as a portion of the Meadville division. From the junction with the Buffalo Creek the trains of this branch operate over the Buffalo Creek railroad, a distance of about 1½ miles, to a connection with the main line of the Buffalo division near East Buffalo.

The easterly end of the main line Buffalo division is crooked; the general alignment of the western end is good. Curves are generally light, and grades, while somewhat broken, are generally light and fairly regular. The Niagara Falls branch and International branch have good general alignment, with generally light curves and grades. The Buffalo & Southwestern branch has a fair general alignment; most curves are light. There is a maximum of 10 degrees however at Dayton wye. The grades on a large portion of the road are also light, but between Gowanda and Dayton there are about 4½

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miles of grade of 132 feet to the mile. The cuts and embankments on main line and branches are full width and the roadway is well graded and drained. Sub-drains are used in wet cuts.

On the main line the steel and iron bridges are in good condition and well painted. The two bridges mentioned in last report as being light and located just north and south of Garwoods station have been taken out. The channel of the stream has been changed so as not to cross the roadway and the two openings have been filled with embankment. The bridges have good masonry, standard ties and guard timbers in good condition, except as noted hereafter, and inside guard rails are maintained on all long and high bridges. Some new ties and new pieces of guard are needed on No. 392.78, and the first opening north of Hornell, and some tie renewals should be made on Nos. 335.05, 338.55, 345.29, 399.82, and the second opening west of Attica. The viaduct over the Genesee river gorge at Portage has gauntlet track on the structure, making single-track movement over it. A tower at south end controls signals and protects movements. On the Niagara Falls branch, bridge No. 12.38 over Ellicott creek, Tonawanda, has timber abutments. A number of the piles and timber caps should be renewed and the abutments generally be put in good condition. Bridge No. 4.05 over the West Shore railroad in Buffalo, and No. 19.23 over a creek at LaSalle, are in the opinion of your inspector rather light for the class of motive power and rolling stock used, and should be replaced. With the exceptions noted above, the steel and iron bridges are in good condition, generally well painted, and except No. 12.38 have good masonry abutments. The ties and guard timbers are of standard dimensions and in general sound condition. Inside guard rails are maintained on long structures. On the International and the Black Rock branches the bridges are in good condition, have masonry abutments, standard ties, and guard timbers in good repair. On the Buffalo & Southwestern branch the steel and iron bridges are in good condition. Some are erected on pile or framed bent abutments and piers: all are in sound condition. The masonry to other bridges is in good condition. The ties and guard timbers are of standard dimensions. On a number of the bridges a few of the ties and some guard timbers are somewhat decayed and should be renewed. Inside guard rails are maintained on most of the longer structures. There are no wooden bridges in the roadway of the main or branch lines, the only wooden bridges being those overhead structures carrying farm or highway crossings. Many overhead bridges are of iron, and all where not of full clearance height above track are protected by warning signals.

There are no timber trestles on the main line. On the Niagara Falls branch there are 3 trestles of pile or framed bents, and on the Black Rock branch there is one framed bent trestle, all of standard construction and in good condition. On the Buffalo & Southwestern branch there are a number of small and low trestles, generally on pile bents, with yellow pine stringers, ties, and guard timbers, all of standard construction and in good repair. On the main line all open culverts and cattle passes have masonry abutments and I-beam stringers. The first opening south of Attica, a cattle pass of about 8-ft. span, has poor masonry and should be rebuilt. With this exception, all are in good condition and have standard ties and guard timbers. On the Buffalo & Southwestern branch most of the open culverts and cattle passes are constructed entirely of timber; a number have yellow pine stringers and masonry abutments, and a few I-beam stringers are used with masonry abutments. The ties and guard timbers are of standard dimensions and are generally in good repair, some slight renewals needed on a few of the structures. The arch, box, and pipe culverts on main line and branches are apparently in good condition.

The standard dimensions of cross-ties on main line are 7 x 9 in., 8 $\frac{1}{2}$ ft. in length; on the branch lines 6 x 8 in., 8 ft. in length; they are laid at the rate of 2816 to the mile of track; about 75 per cent. are yellow pine, 24 per cent. oak, and 1 per cent. cedar, hemlock, or tamarack; they are well spaced, full spiked, and general condition is good; about 7.8 per cent. have been renewed since last inspection (October, 1907). Tie-plates are used, and outside of rail double spiked on curves.

On the main line, 62.90 miles of track are laid with 90-lb. rail, and 121.58 miles with 80-lb. rail; on the Niagara Falls branch, 28.66 miles with 80-lb., 1.18 miles with 74-lb., 0.54 mile with 70-lb., and 0.03 mile with 63-lb. rail; on the International and Black Rock branches, 9.25 miles with 74-lb., and 0.89 mile with 63-lb. rail; on the Buffalo & Southwestern branch, 12.83 miles with 90-lb., 13.56 miles with 80-lb., and 30.43 miles with 74-lb. rail. The 90-lb. and 80-lb. rail is connected by angle bars 30 in. in length with 6 bolts, and 24 in. in length with 4 bolts; and 74-lb. rail with angle bars 40 in. in length with 6 bolts; and the other rail with angle bars 24 in. in length with 4 bolts.

On the main line the 90-lb. rail is in good condition and the 80-lb. rail in fair condition; all connections full bolted and bolts generally tight. On the Niagara Falls branch the 63-lb. rail is considerably worn, the other rail is in good condition; all connections are full bolted and bolts tight. The International and Black Rock branches have rail which is in fair condition for the purposes for which the branches are used; all connections are full bolted and bolts generally tight. On the Buffalo & Southwestern branch the rail is in fair to good condition; all connections are full bolted and but few loose bolts were observed.

On the main line all main-track switches are split point with stands automatic for main track; all facing switches not interlocked are protected by distant signals. Main-track frogs are spring rail and in good condition. Derailing switches are in all sidings where their use appears necessary; some of the stands lack targets. Switch and semaphore lamps on the main line and branches show red light for danger and green for safety; yellow is used for caution. On the Niagara Falls branch and International branch all main-track switches are split point and have stands automatic for main track. Many of the stands on the Niagara Falls branch have high targets. All frogs on the Niagara Falls branch are spring rail; some rigid frogs are used on the International and the Black Rock branches; all are in good condition. Derailing switches are in all sidings where their use appears necessary; some of the stands lack targets. On the Buffalo & Southwestern branch all main-track switches are split point. Both rigid and automatic stands are used; outlying and obscure switches have high targets. Derailing switches are in all sidings where their use appears necessary; as on the other lines, some stands lack targets.

On the main line the tracks are ballasted with gravel and cinders, generally in good quantity. The Niagara Falls branch is well ballasted with gravel, slag, and cinders. The International and Black Rock branches are lightly ballasted with gravel and cinders. The Buffalo & Southwestern branch is ballasted with slag, gravel, and cinders in good quantity. The alignment and surfacing of main line and branch tracks are good, and the outer rails on curves are properly elevated for the scheduled speed of trains.

The average length of track section, on main line, Niagara Falls and International branches, is 5 miles, with average force employed on each consisting of a foreman and 6 laborers in winter, and a foreman and 9 laborers in summer. On the Buffalo & Southwestern branch the average length of track section is 6 miles, and average force employed on each consists of a foreman and 4 laborers in winter, and a foreman and 9 laborers in summer. Each gang is furnished with flags, lanterns, and torpedoes. Track walkers are not employed, nor is the track patrolled by some member of the section force.

The main line tracks cross the following railroads at grade: 4 tracks of The New York Central and Hudson River Railroad Company's main line are crossed by 2 Erie tracks, at Buffalo: the crossing is protected by a modern interlocking plant. At Buffalo, 2 tracks known as the "Compromise tracks," connecting the Lake Shore & Michigan Southern and the New York Central, are crossed by the Erie tracks: the crossing is protected by a tilting board signal and all trains are required to come to a full stop before crossing; this crossing should be protected by an interlocking plant if it is found to be feasible. At East Buffalo, one track of the Buffalo division of the Pennsylvania railroad, one track of the Buffalo Creek railroad, and another track

of the Pennsylvania railroad, from 150 to 200 feet apart, are crossed by 4 Erie tracks: the crossing is protected by signals located on a tower about midway between the crossings, and all trains are required to come to a full stop before crossing; approximately 400 trains per day pass over these crossings, and they should have better protection, as they are dangerous ones. At East Buffalo, one track belonging to the Erie railroad leading to the stock yards is crossed: the crossing is protected by semaphore signals which are interlocked. At Union street, Cheektowaga, one track of the International railway (electric) crosses at grade: there are derails in the tracks of the electric road and proper protection over the trolley wire. At Lancaster, one track of the International railway (electric) crosses at grade: there are derails in the track of the electric road and there is a copper trough over the trolley wire.

The tracks of the Niagara Falls branch, the International branch, and the Black Rock branch cross the following railroads at grade: Near Tonawanda, one track of the Canandaigua branch of the New York Central & Hudson River railroad, and also a switching track belonging to that company, are crossed at grade, and crossings are protected by a modern interlocking plant. At North Tonawanda, 2 tracks of the Lockport branch of the New York Central & Hudson River railroad are crossed, and crossing is protected by a modern interlocking plant. At North Tonawanda, a branch track of the Erie, leading to the docks, crosses 3 tracks of the Niagara Falls branch of the New York Central & Hudson River railroad: the crossing is protected by a tilting board signal. At Suspension Bridge, 2 tracks of the Niagara Falls branch, one of the Lewiston branch of the New York Central & Hudson River railroad, and one track connecting the Michigan Central railroad with the Rome, Watertown & Ogdensburg yard, are crossed at grade: these crossings are protected by a modern interlocking plant. Good broken stone ballast, 2 feet in depth, should be placed under the crossing frogs in these crossings, particularly the Niagara Falls branch crossing, and drain pipe laid to properly drain same.

The tracks of the Niagara Falls branch are crossed by the tracks of the International railway (electric) as follows: 2 tracks on William street, Buffalo: there are no derails in the tracks of the electric road, but trolley wire has proper protection over it; 2 tracks on Walden avenue, Buffalo: there are no derails in the tracks of the electric road, but proper protection over the trolley wire; 2 tracks on Genesee street, Buffalo: there are derails in the tracks of the electric road and proper protection over the trolley wire; 2 tracks on East Ferry street, Buffalo: there are derails in the tracks of the electric road and proper protection over the trolley wire; 2 tracks on Kensington avenue, Buffalo: there are derails in the tracks of the electric road and proper protection over the trolley wire; 2 tracks on Main street, Buffalo: there are no derails in the tracks of the electric road, but a proper protection over the trolley wire; 1 track on Goundry street, North Tonawanda: there are derails in the track of the electric road and proper protection over the trolley wire; 1 track on Sugar street, Echota: there are no derails in the track of the electric road nor protection over the trolley wire; 1 track on Ontario avenue, Suspension Bridge: there are no derails in the track of the electric road, but a proper protection over the trolley wire.

Two tracks of the International railway (electric) cross the Erie International branch on Military Road, North Buffalo: the crossing is protected by an interlocking plant; 2 tracks of the Niagara Falls branch of the New York Central & Hudson River railroad, and 2 tracks connecting that branch with the Buffalo Belt Line, cross the International branch at North Buffalo: the crossings are protected by a proper interlocking plant.

Two tracks of the Delaware, Lackawanna & Western railroad cross the Black Rock branch at Black Rock: this crossing is in the yard, where movements are subject to rules, and aside from that the crossing is not protected; all trains come to a full stop before crossing; 2 tracks of the International railway (electric) cross the Black Rock branch on Hertel avenue, North Buffalo: there are derails in the track of the electric road and proper protection over the trolley wire; 2 tracks of the International

railway cross the Black Rock branch on Tonawanda street, North Buffalo: there are no derails in the tracks of the electric road, but proper protection over the trolley wire.

The Buffalo & Southwestern branch crosses the following tracks at grade: 1 track of the Chautauqua division of the Pennsylvania railroad and 1 track of the New York, Chicago & St. Louis railroad, side by side, are crossed at Blasdell: the crossings are protected by a tilting board signal and all trains are required to come to a full stop before crossing.

Interlocking plants are maintained on the main line at Chicago street, Buffalo, governing movement in and out of Buffalo passenger station; at Seneca street, Buffalo, governing movement from Buffalo & Southwestern wye and to and from freight and passenger tracks; at William street, governing movement from main line to Falls branch, both legs of wye, and to the yard; at Portage, governing movement over gauntlet tracks over viaduct and into sidings and team track; at Canaseraga, governing movement into passing sidings; on the Niagara Falls branch at International Junction, governing movement from Falls branch to International branch and end of double track; on the Buffalo & Southwestern branch the only interlocking plant is one at the junction with the Meadville division at Waterboro.

On main line and branches the right of way is clear and clean, free from trees and brush. Fences on main line and Buffalo & Southwestern branch are of wire and board and are in fair condition, although there is some lacking and some out of repair. On the Niagara Falls, International, and Black Rock branches fences are not maintained except opposite grazing land, of which there is but little. Mile-posts are maintained.

On main line and branches the highway crossings are well graded, properly planked, and are protected by crossing signs of the diamond or X form. On the main line, Niagara Falls, International, and Black Rock branches, cattle guards are not maintained; on the Buffalo & Southwestern a few wooden-slat cattle guards are maintained, but most of the crossings are without them. Of the 248 grade crossings on the main line and branches, 41 are protected by flagmen, 7 by flagmen and gates, 16 by electric bells, and 182 by crossing-signs only. Whistle-posts are maintained at the proper distance from all crossings.

On the main line, Niagara Falls, International, and Black Rock branches the movements of trains are governed by the manual controlled block signal system; on the Buffalo & Southwestern by the telegraphic block signal system.

The stations on main line and branches are in most cases in good condition; on the main line many of them have been recently re-painted and are neat and clean. While some of them are small, they are apparently large enough for the requirements, except the station at Arkport, which in the opinion of your inspector is not large enough for the business transacted at that point.

On the Buffalo & Southwestern branch the same remark is true regarding the station at South Dayton. While your inspector made no especial examination to determine conditions, yet at the time of inspection the front, back, and end platforms, as well as the freight house, were piled with freight, and the waiting room for passengers was apparently entirely too small for the size of town. A number of the stations are without closets, and in the case of Eden Center station, it is the opinion of your inspector that one should be placed there. The general remarks regarding stations on the New York division apply to this division as well.

On the main line and branches about 7.6 per cent. of the cross-ties have been renewed since last inspection; 30.25 miles of 90-lb. steel rail have been laid, replacing worn 80-lb., and 5 miles of 80-lb. replacing worn 74-lb.; 2 bridges have been removed and the openings in roadbed eliminated by the location of stream having been changed; 3 open culverts have been filled in, and 16 have been extensively repaired, a number of wooden structures having been replaced with concrete; bridge masonry has been repaired at 10 openings; a new and wooden passenger station has been erected at Lancaster; 30 station and other buildings have been extensively repaired, and 15 have been re-painted; 28 bridges have been re-painted; 3.3 miles of new fence have been

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built and 19 miles extensively repaired; and grade highway crossings at Pine avenue and Niagara street, Niagara Falls, have been eliminated.

Recommendations: That renewals be made to ties and guard timbers on bridges, open culverts, and cattle passes where necessary; that repairs be made to the timber abutments of bridge No. 12.39 on Niagara Falls branch; that the Erie Railroad Company forward to this Commission strain sheets for bridges Nos. 4.05 and 19.23 on Niagara Falls branch; that all portions of the road be patrolled daily by some member of the section force; that the masonry to cattle pass the first opening south of Attica on main line be rebuilt; that repairs be made to fences where necessary, and cattle guards be maintained at highway crossings in accordance with law; and that station facilities be improved at Arkport and South Dayton.

Rochester Division.

	Length of track, in miles.	Sidings and yard tracks.	Total.
Main line.....	Main track. 92.78	29.77	122.55
Conesus Lake branch.....	1.61	0.46	2.07
Attica branch.....	34.55	7.97	42.52
Mt. Morris branch.....	17.70	2.72	20.42
Total.....	146.64	40.92	187.56

The main line of the Rochester division extends from a connection with the Susquehanna division, main line, at Painted Post to Rochester. The Conesus Lake branch extends from a connection with the main line at Conesus Lake Junction to Lakeville. The Attica branch extends from a connection with the main line at Avon to Attica, on the Buffalo division main line. The Mount Morris branch also connects with the main line at Avon and extends to Mount Morris. The Mount Morris branch and the portion of the main line from Avon to Rochester have been equipped and are now being operated electrically by the overhead trolley system, as well as by steam locomotives.

The general alignment of main line is good and all curves light; it crosses a summit at Livonia where there is a continuous grade for about 6 miles of 46 ft. per mile; aside from that the grades are all light. The Conesus Lake branch is practically straight, with the exception of the 4 degree curve at the junction; the maximum grade is near the junction; the balance of the branch has light grades. The Attica branch has fair alignment, with grades considerably broken, but light. The Mount Morris branch has a good general alignment, with grades that are light and fairly regular. The roadbed of main line and branches is well graded, and drainage system good; some ditches were observed that should be cleaned; sub-drains are used in wet cuts.

The steel and iron bridges are generally in good condition and fairly well painted. A number of the bridges look light for class of power used, and strain sheets for these bridges should be furnished as hereafter noted under "recommendations". Bridge No. 28, near Rush, and No. 30, over the Genesee river at Rochester, are both light structures, and while only light power is operated over them, your inspector is of the opinion that these structures should be replaced in the near future. There are no steel or iron bridges on the Conesus Lake branch, nor are there any openings to grade of any description. On the Attica branch, bridge No. 1, over the Genesee river near Avon, has been replaced by a new structure consisting of one deck plate girder, one through truss, and one through plate girder. A new steel through girder, 96 ft. 3 in. in length with new abutments has replaced an 8-span pile trestle. Bridges No. 4, at LeRoy, and No. 5, over the New York Central main line, near Batavia, are light. On the Mount Morris branch there are 3 bridges, one of which, a deck plate girder, is carried on pile abutments. All bridges, with the exception of the one carried on piling, have fair to good masonry, standard ties and guard timbers in good general condition, and inside guard rails are maintained on most of the long and high bridges. The only wooden bridges are for overhead highway and farm crossings; all are well maintained, and low ones, as well as other overhead structures, are protected by warning signals.

There are a number of framed bent trestles on main line and on the Attica branch most of them short and low. There is only one trestle on the Mount Morris branch: it is 122 ft. in length, composed of spans of irregular length; the timber is getting old and renewals should be made soon. On the main line a 5-span trestle, between North Lima and Livonia, has considerable old timber in it and renewals should be made soon. On the Attica branch the 7-span trestle west of bridge No. 1 has old timber, in poor condition, and should be renewed. The remaining trestle structures are in fair to good repair and of standard construction. The open culverts and cattle passes on the main line have about one-half of their number constructed of wooden stringers on masonry abutments, a number with I-beam stringers on framed or pile bent abutments, and a very few constructed entirely of wood or having I-beams on masonry. The first opening north of Conesus should have repairs made to masonry. There are no open culverts or cattle passes on the Conesus Lake branch. On the Attica branch most of the cattle passes and open culverts have I-beam stringers on framed or pile bent abutments, a very few have I-beams with masonry abutments, and one or two have wood stringers with masonry or framed bent abutments. The first open culvert east of bridge No. 7, 9½-ft. span, has one 15-in. I-beam under each rail supported on framed bent abutments, and has poor ties: it should have an additional I-beam under each rail and renewals made to ties. On the Mount Morris branch there are 2 open culverts with masonry abutments: one has timber stringers, the other I-beams; the masonry abutments of the latter structure are in poor shape and should be rebuilt. The ties and guard timbers are of standard dimensions, and except as noted above are in good condition. The arch, box, and pipe culverts are apparently in good condition.

The standard dimensions for cross-ties on main line and branches are 7 x 9 in., 8 ft. 6 in. in length, and 6 x 8 in., 8 ft. in length; they are about 67 per cent. yellow pine, 25 per cent. oak, and the remainder mixed chestnut, tamarack, and cedar, and are laid at the rate of 2816 to the mile of track. Since last inspection about 12 per cent. of ties have been renewed on main line and Mount Morris branch, about 9 per cent. on the Attica branch, and about 5 per cent. on the Conesus Lake branch. The ties are evenly spaced and full spiked. Tie-plates are used on curves.

The main line has 18.49 miles laid with 80-lb. rail, connected with 24-in. Weber joints, 4 bolts; 10.34 miles same rail connected with 30-in. angle bars, 6 bolts; and 63.95 miles 74-lb. rail connected with 40-in. angle bars, 6 bolts. The Conesus Lake branch is laid with 63-lb. rail connected with 24-in. angle bars, 4 bolts. The Attica branch has 24.19 miles laid with 80-lb. rail connected with 30-in. angle bars, 6 bolts, and 10.36 miles 74-lb. rail connected with 40-in. angle bars, 6 bolts. The Mount Morris branch has 15.74 miles laid with 80-lb. rail connected with 24-in. Weber joints, 4 bolts, and 1.96 miles 63-lb. rail connected with 24-in. angle bars, 4 bolts. The 80-lb. rail on main line is in good condition; some of the 74-lb. rail is somewhat worn; 2½ miles of worn 74-lb. has been replaced with 80-lb. steel rails since last inspection. On the Conesus Lake branch the 63-lb. rail, while somewhat worn, is in fair condition for the light traffic and slow speed at which trains are run on that branch. On the Attica branch the 80-lb. rail is in good condition, some of the 74-lb. rail is worn considerably; and on the Mount Morris branch the rail while somewhat worn is in good condition. All connections, both main line and branches, are full bolted and bolts generally tight.

All main-track switches are split point and have stands automatic for main track; at outlying and obscure switches high targets are used. On the electrified portion all main-track switches are electrically locked or protected by distant signals that are interlocked with the switch stands. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. The main-track frogs are nearly all spring rail and are properly maintained. Derailing switches are in all sidings where their use appears necessary; some of them have stands without targets.

The main-line track is ballasted with cinders and gravel in fair quantity; the Conesus Lake branch with cinders and gravel in medium quantity; the

Attica branch with cinders and gravel, in light quantity on some portions of the branch; the Mount Morris branch with gravel in good quantity. The alignment and surfacing of the tracks are fair generally, some portions good, and the outer rail on curves properly elevated for the scheduled speed of trains.

Track sections on the main line average about 5½ miles in length, and the force maintained on each consists of a foreman and 5 laborers. The Conesus Lake branch is a part of main line section No. 7, total of 6 miles of main track, with foreman and 5 laborers. The Attica branch sections average 5¾ miles in length, with force of foreman and 5 laborers; the Mount Morris branch 5 miles in length and the force one foreman and 4 laborers. Each gang is provided with flags, lanterns, and torpedoes, and all portions of the road are patrolled daily by some member of the section force.

On the main line the following tracks are crossed at grade: At Painted Post, one track of the Corning & Painted Post street railway (electric) is crossed at grade: there are derails in the track of the electric railway but no protection over the trolley wire; at Erwin, 2 tracks of the Delaware, Lackawanna & Western railroad: the crossing is protected by a proper interlocking plant; at Rush, one track of the Canandaigua division of the New York Central & Hudson River railroad: the crossing is protected by a tilting board signal and all trains are required to come to a full stop before crossing; at Red Creek, 2 tracks of the West Shore railroad: the crossing is protected by gates and all trains are required to come to a full stop before crossing.

On the Attica branch the following tracks are crossed at grade: West of Caledonia, one track of the Genesee & Wyoming railroad: the crossing is protected by interlocking signals and trains are required to come to a full stop before crossing; at LeRoy, one track of the Buffalo, Rochester & Pittsburgh railway by main track and 2 sidings: the crossing is protected by a tilting board signal and all trains are required to come to a full stop before crossing; west of LeRoy, one track of the Canandaigua branch of the New York Central & Hudson River railroad: the crossing is protected by a tilting board signal and all trains are required to come to a full stop before crossing; at Batavia, 2 freight sidings of the New York Central & Hudson River railroad: when switching over these crossings the New York Central protects by flagging; the Erie trains do not stop at these crossings, which are close together, and which in the opinion of your inspector should either be protected by interlocking or all trains come to a full stop before crossing; at Batavia, the 4 main tracks and 2 sidings of the New York Central & Hudson River railroad: the crossing is protected by a modern interlocking plant; west of Batavia, one track of the Attica branch of the New York Central & Hudson River railroad: protected by a tilting board signal and all trains are required to come to a full stop.

On the Mount Morris branch, near Mount Morris, 2 tracks of the Delaware, Lackawanna & Western railroad are crossed: the crossing is protected by a modern interlocking plant.

Interlocking plants are maintained on the main line as follows: At the junction with the Susquehanna division at Painted Post (noted under Susquehanna division); at the grade crossing of the Delaware, Lackawanna & Western railroad at Erwin, maintained and operated by the D. L. & W. R. R. Co.; and at Rochester. On the Attica branch as follows: At the grade crossing of The New York Central & Hudson River Railroad Company's main line at Batavia, maintained and operated by the New York Central; and at the grade crossing of the Genesee & Wyoming valley railroad, west of Caledonia, maintained and operated by the G. & W. R. R. Co. On the Mount Morris branch, at Avon, governing switches at east end of Avon yard; and at the grade crossing of the Delaware, Lackawanna & Western railroad near Mount Morris, maintained and operated by the D. L. & W. R. R. Co.

The right of way is clear and clean, free from trees and brush, and is fairly well fenced; some repairs needed. Mile-posts are maintained.

There are 155 highway crossings, protected as follows:

	Flagmen & gates	Electric bells	Crossing signs	Total.
Main line	3	1	3	95
Conesus Lake branch	0	0	2	2
Attica branch	2	1	0	33
Mount Morris branch	1	0	0	16
Total.....	6	2	144	155

The highway crossings are well graded, properly planked, and are protected by signs of the diamond and X form. Cattle guards are maintained at very few of the crossings. Whistle-posts are located at the proper distance from crossings.

A positive telegraphic block signal system is maintained between Rochester and Avon, and on the Mount Morris branch in connection with the electric service; on the remaining portions of the division the telegraphic train order system governs the movements of trains.

The station buildings, while many of them are small, are generally in good repair, clean and neat, and the sanitary conditions good. At Batavia the dry closets in the station are in poor condition and should be replaced with sanitary water closets. The station is a small frame building, apparently hardly suitable for a town the size of Batavia. Like other divisions of the road, many of the stations have poor cinder platforms which in wet weather keep the floors of stations in very bad condition.

Since last inspection the following repairs and improvements have been made: About 12 per cent. of the cross-ties have been renewed on main line and Mount Morris branch, 9 per cent. on the Attica branch, and 5 per cent. on the Conesus Lake branch; 2½ miles of 80-lb. steel rail have been laid on main line, replacing worn 74-lb. rail; repairs have been made to bridges No. 2 and No. 11½; a number of open culverts and cattle passes have been replaced with solid, concrete top structures; 12 open culverts and cattle passes have been rebuilt, and 18 extensively repaired; on the Attica branch, at bridge No. 1, a new through truss, a deck plate girder, and one through plate girder, total length 269 ft. 5 in., have replaced similar lighter structures, and at bridge No. 7 masonry has been rebuilt and a new steel through girder 96 ft., 3 in. in length erected in place of an 8-span pile trestle; one open culvert has been filled and 8 open culverts or cattle passes rebuilt; on the main line, 0.38 mile of new fence has been built and 12.96 miles extensively repaired; on the Attica branch, 5.18 miles extensively repaired; on the Mount Morris branch, 0.12 mile of new fence built and 2.59 miles of fence extensively repaired; Rochester freight station and boiler house extensively repaired; also Oatka, combined passenger and freight station, and the passenger and freight stations at Bath; sidings constructed and extended for 4 new industries, and the grade crossing at West avenue, Livonia, eliminated; on the Mount Morris branch, a siding has been constructed for 1 new industry, a second-hand turntable installed at Mount Morris in place of old cast-iron table, and about 110 ft. of concrete sidewalk laid on Erie street, Mount Morris.

Recommendations: That the Erie Railroad Company furnish this Commission span diagrams and strain sheets of bridge No. 28 near Rush, No. 30 over the Genesee river at Rochester, No. 4 at LeRoy, and No. 5 over the New York Central near Batavia; that renewals be made to the following trestles: on main line between North Lima and Livonia to the 5-span trestle, on Attica branch to the 7-span trestle west of bridge No. 1, and to the trestle on the Mount Morris branch near Avon; that repairs be made to the masonry of the open culvert on main line just north of Conesus, and to the masonry of open culvert on Mount Morris branch near Geneseo; that the grade crossings of the 2 New York Central freight tracks in Batavia be protected by interlocking or trains be required to come to a full stop before crossing; that fences be repaired where necessary, and cattle guards be maintained at the boundaries of all highways crossed at grade as required by law; and that repairs be made to closets in Batavia station.

Allegheny Division.

The Allegheny division extends from the west end of Hornell yard to Dunkirk, a distance of 128.02 miles, with 20.35 miles of second main track, the second main track being from Hornell to between Alfred and Almond, from Hinsdale to Olean, and from east of Carrollton to Salamanca; there are 58.99 miles of sidings and yard tracks. The general alignment is fair and most curves are light; the maximum is 5 degrees, just east of Persia. The road crosses several summits, and the grades are long and somewhat broken; the maximum is 52 ft. per mile for a distance of 12 miles, Hornell to Tip Top. The cuts and embankments are of good width; have proper slopes, and the roadway is well drained.

The bridges are in good condition generally, are fairly well painted, have good masonry, and standard ties and guard timbers properly maintained. Inside guard rails are maintained on all bridges east of Salamanca, and on all long and high ones west of Salamanca. There are no wooden bridges excepting those carrying overhead highway and farm crossings; they are properly maintained, and all not at full clearance height above track are protected by warning signals. There are no timber trestles in the main track. All open culverts and cattle passes except 2, which have wood abutments, have masonry abutments; all have I-beam or plate girder stringers with standard ties and guard timbers well maintained. The masonry is all in good condition except at open culvert 342.95 (of about 8-ft. clear span): the concrete abutments have settled and cracked and now have 12 x 12 blocking in front of abutments, which are all safe. The arch, box, and pipe culverts are apparently in good condition.

East of Salamanca the standard dimensions of cross-ties are 7 x 9 in., 8½ ft. in length; west of Salamanca, 6 x 8 in., 8 ft. in length; they are laid at the rate of 2816 to the mile of track; about 80 per cent. are yellow pine, 17 per cent. oak, and 3 per cent. chestnut; they are in good condition, about 14 per cent. having been renewed since last inspection, and are well spaced and full spiked. Tie-plates are used on curves.

One hundred miles of main track are laid with 90-lb., 16.70 miles with 80-lb., 11.07 miles with 74-lb., and 20.60 miles with 63-lb. steel rail. The 90-lb. rails are connected partially by angle plates 24 in. in length with 4 bolts, and by angle plates 30 in. in length with 6 bolts; the 80-lb. rails are connected by angle plates 30 in. in length with 6 bolts; the 74-lb. rails by angle plates 40 in. in length with 6 bolts; the 63-lb. rails by angle plates 25 in. in length with 4 bolts. The 90-lb. and 80-lb. rails are in good condition; the 74-lb. and 63-lb. considerably worn. All connections are full bolted and bolts generally tight.

The main-track switches are split point, and both automatic and rigid stands are used. All outlying and obscure switches are either protected by interlocking or have high targets. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. Main-track frogs are spring rail and are well maintained. Derailing switches are in all sidings where their use appears necessary; they are either connected with the main-track switch stand by interlocking or have stands with proper targets.

The track is ballasted with gravel and cinders, in good quantity east of Salamanca and in fair quantity west of that point. The alignment and surfacing are good, and the outer rails on curves are properly elevated.

The average length of sections between Hornell and Salamanca is 5 miles; between Salamanca and Dunkirk 6½ miles in length; the average force on each section consists of a foreman and 8 laborers. Each gang is furnished with flags, lanterns, and torpedoes. Regular watchmen are employed on Almond and Alfred sections No. 1 and No. 2 during the spring and fall to protect the slopes.

At Olean, 2 tracks of the Buffalo division of the Pennsylvania railroad are crossed at grade: the crossing is protected by a modern interlocking plant. West of Olean, 1 track of the Olean street railway (electric): there are derails in the track of the electric railway and a trough protection over the trolley wire; at Dunkirk, 1 track of the Chautauqua division of the Pennsylvania railroad and 1 track of the New York, Chicago & St. Louis railroad

are crossed, side by side: the crossing is protected by a tilting board signal and all trains are required to come to a full stop before crossing; at Dunkirk, a switching track of the Dunkirk, Allegheny Valley & Pittsburgh railroad leading into the locomotive works: the crossing is protected by semaphore signal, there are only yard movements of trains at this point, trains run slowly, and signal is operated by the trainmen.

Interlocking plants are maintained at the following points: Almond, Tip Top, Wellsville, Hinsdale, between Hinsdale and Olean, Pennsylvania railroad crossing at Olean, Olean, east of Carrollton, and west of Carrollton.

The right of way is clean and clear, free from trees and brush. Fences are generally of wire and in fair repair; some however were noted as needing repairs, and a little lacking. Mile-posts are maintained.

The highway crossings are well graded, properly planked, and protected by signs of the diamond and X form properly located and well painted. Of the 136 highways crossed at grade, 6 crossings are protected by flagmen; 1 crossing by gates and flagman; 7 by gates; 1 by electric bell, and 121 by crossing-signs only. Whistle-posts are maintained at the proper distance from crossings. Wooden-slat cattle guards are maintained at a few highway crossings, but are lacking at most of them.

Between Hornell and Salamanca the movements of trains are governed by the manual controlled block system; west of Salamanca to Dunkirk by the telegraphic train order system.

The stations are in good repair, clean and neat, and the sanitary condition good.

The principal repairs and improvements made since last inspection are as follows: About 14 per cent. of the cross-ties have been renewed; 24.10 miles of new 90-lb. steel rail have been laid, replacing worn 90-lb. and 80-lb. rail, and in laying the new double track between Olean and Hinsdale; 1.22 miles of second-quality 90-lb. steel rail have been laid, replacing worn 74-lb. and 63-lb. rail, and 6.74 miles of second-class 80-lb., replacing worn 63-lb. and 74-lb. rail; 4 miles of track have been ballasted with gravel and 3½ miles of track with cinders; 7 temporary pile trestles and 3 overhead temporary wooden highway bridges in connection with the construction of the new double track between Olean and Cuba have been replaced with iron or steel bridges or concrete rail spans; 2 open culverts have been replaced with reinforced concrete; 3 arch and stone box culverts have been rebuilt, and 1 replaced by a 36-in. castiron pipe; extensive repairs have been made to the masonry of bridge No. 2, and repairs made to 11 culverts; repairs have been made to the platforms, walks, etc., at a number of stations; a new turntable has been installed at Dayton; 2 stations and 6 signal towers have been re-painted; 8 bridges have been re-painted; 0.4 mile of new fence built and 4.9 miles repaired; 10 sidings laid and extended: a total length of 4.3 miles; 6.2 miles of new second track constructed between Olean and Hinsdale; and new interlocking plants installed at Hinsdale, and between Hinsdale and Olean.

Recommendations: That repairs be made to fences where necessary; that cattle guards be maintained as required by law; and that repairs be made to the masonry of open culvert No. 342.95.

Bradford Division.

The portion of the Bradford division in this State extends from a connection with the Allegheny division at Carrollton to the Pennsylvania-State line, near Limestone, a distance of 8.06 miles, single track, and has 5.13 miles of sidings and yard tracks. The greater part of the road is on tangent; the maximum curve is 3 degrees, located at Irviners. The grades are light and for much of the distance practically level; the maximum grade being 33 ft. per mile for about a quarter of a mile just west of Limestone. The greater part of the railroad is on embankment; there are a few cuts of full width with proper slopes. The embankments are full width and the roadway is well drained.

There is but one iron bridge in the roadway: it is a through truss, over the Allegheny river, near Riverside; it is carried on pile bent abutments and the superstructure is supported at two panel points by timber bents, the bridge

being light; it has standard ties and guard timbers, well maintained. There are no wooden bridges in the roadway. There are 10 timber trestles, with framed bents on pile foundations: 4 are of 2 spans each, 2 of 3 spans each, 1 of 4 spans, 1 each of 10 spans, 21 spans, and 75 spans; they are of standard construction and all timber is in sound condition; inside guard rails are not maintained on them or on the iron bridge. There is 1 open culvert and 1 cattle pass: both are constructed entirely of timber and are in good sound condition. There are no arch culverts. The box and pipe culverts are apparently in good condition.

The standard dimensions of cross-ties are 7 x 9 in., 8½ ft. in length, and they are laid at the rate of 2816 to the mile of track; about 50 per cent. are yellow pine and 25 per cent. each oak and chestnut; they are in good condition; about 20 per cent. have been renewed since last inspection; they are evenly spaced and full spiked.

The track is laid with 80-lb. steel rail, connected by angle plates 30 in. in length with 6 bolts; the rail, which is second-use 80-lb., is somewhat worn, but is in fair condition; all connections are full bolted and bolts generally tight. The switches are split point; both rigid and automatic stands are used and have proper targets. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. Main-track frogs are spring rail, properly maintained. There are no derailing switches, and apparently none are needed.

The track is ballasted with gravel and cinders in fair quantity. The alignment of track is good, and surfacing fair; the outer rails on curves are properly elevated.

The track sections are about 5½ miles average length, and the force maintained on each consists of a foreman and 4 laborers. Each gang is furnished with the necessary appliances for protecting its work.

One track of the Buffalo division of the Pennsylvania railroad is crossed at grade at Riverside: the crossing is protected by a tilting board signal and all trains are required to come to a full stop before crossing. The only interlocking plant is the one maintained at Carrollton, at the connection with the main line of the Allegheny division.

The right of way is free from trees and brush, and is clean and clear. Very little fencing is maintained. Mile-posts are maintained.

The 5 highway crossings are well graded and properly planked, and are protected by signs of the X form, properly located and well painted. Cattle guards are not maintained. Whistle-posts are at the proper distance from crossings.

The movements of trains are governed by the telegraphic train order system.

Aside from the station of the Allegheny division at Carrollton, which is used by this branch, the only station building maintained in this State is at Limestone, where there is a frame, combination passenger and freight station, small but neat, and in good repair.

Since last inspection about 20 per cent. of the cross-ties have been renewed; the stringers and bents in the Riverside trestle have been repaired, and 0.60 mile of fence has been repaired.

Recommendations: That fences and cattle guards be maintained as required by law, and that the Erie Railroad Company send to this Commission a span diagram and strain sheet of the through truss bridge over the Allegheny river, near Riverside.

Meadville Division.

The portion of the Meadville division in this State extends from a connection with the Allegheny division at Salamanca to the Pennsylvania-State line near Niobe, a distance of 48.2 miles, and has 23.50 miles of second main track. This second track comprises the portion of the Buffalo & Southwestern railroad from Waterboro to Jamestown, which is used as second main track, and from Jamestown to Lakewood. West of Lakewood, and to the Pennsylvania-State line and beyond, a new double-track line, which for much of the distance is located from a-quarter to a-half mile away from the present road, is being constructed, and at the time of inspection all but about 2½ miles

had been completed and a portion was in operation. The general alignment is good, and most of the curves are light, the maximum is a curve of 9 degrees at Jamestown. The grades are generally light; there is however a grade of 47 ft. to the mile for a distance of 1300 ft., at Jamestown. The new line has a maximum grade of 16 ft. per mile westbound, and 11 ft. eastbound, and maximum curve of 3½ degrees. The cuts and embankments are of full width and have proper slopes, and the roadway generally well drained; sub-drains are used in wet cuts. The new line is well graded.

The steel and iron bridges are in good condition and generally well painted, have good masonry, standard ties and guard timbers and inside guard rails. There are no wooden bridges or trestles in the roadway. The few open culverts and cattle passes have good masonry abutments and I-beam stringers with standard ties and guard timbers, all well maintained. A number of open culverts have been replaced with concrete top structures. The arch, box, and pipe culverts are apparently in good condition.

The cross-ties are practically all oak, only 4 per cent. being yellow pine and cedar; the standard dimensions are 7 x 8 in., 8½ ft. in length, and they are laid at the rate of 2816 to the mile of track; they are well spaced, full spiked, and in good condition; 15 per cent. have been renewed since last inspection; tie-plates are used on curves and are double spiked on outside of rail.

The track is laid for entire distance with 90-lb. rail, connected by angle plates 30 in. in length with 6 bolts, and by plates 24 in. in length with 4 bolts; the rail is in good condition, connections full bolted and bolts generally tight. Main-track switches are split point, and where not connected with interlocking the stands are automatic. Many high targets are used at outlying and obscure switches. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. Main-track frogs are spring rail and are well maintained. Derailing switches are in all sidings where their use appears necessary.

The track is ballasted with gravel and slag in fair to good quantity. The alignment and surfacing of track are good, and the outer rails on curves are properly elevated.

The track sections average 5.35 miles in length, and the average force employed on each consists of a foreman and 9 laborers. Each gang is furnished with flags, lanterns, and torpedoes for protecting work, and all portions of the track are patrolled daily by some member of the section force.

At Falconer Junction, one track of the Dunkirk, Allegheny Valley & Pittsburgh railroad is crossed at grade and the crossing is protected by a proper interlocking plant; at Jamestown, one freight track of the Jamestown, Chautauqua & Lake Erie railway: the crossing is protected by a proper interlocking plant; at Jamestown, one track of the Jamestown street railway (electric) crosses at grade on Ashville avenue: there are no derails in the track of the electric road, there is a trough protection over the trolley wire; one track of the same railroad crosses at grade on Main street: there is a derail in the electric railway track but no protection over the trolley wire.

Interlocking plants are maintained at the following points: Bucktooth, governing double track; Red House, governing passing siding; Waterboro, governing crossing with Buffalo division; Falconer Junction, governing crossing with the Dunkirk, Allegheny Valley & Pittsburgh railroad; Jamestown, governing the crossing of the Jamestown, Chautauqua & Lake Erie railway; and end of double track.

The right of way is clear and clean, free from trees and brush, and fenced with wire, generally in fair repair. Mile-posts and half-mile posts are maintained.

The highway crossings are well graded and properly planked. Of the 52 crossings, 3 are protected by flagmen, 6 by flagmen and gates, 3 by electric bells, 1 by watchman and bell, and 39 protected only by signs of the diamond and X form. Whistle-posts are properly located. Cattle guards are not maintained.

The Mozier block system of governing trains is used on this division.

The station buildings are in fair condition. The Ashville station had just been moved over from old line to new location at time of inspection, and Watts Flats station was about to be moved. The waiting room of the Jamestown station is apparently too small for the town. The sanitary conditions at stations are generally good.

Since last inspection the following repairs and improvements have been made: About 15 per cent. of the cross-ties have been renewed; 6.52 miles of 90-lb. steel rail have been laid, replacing worn 90-lb.; a 70-ft. trestle has been replaced with a plate girder bridge same length, and new masonry built for 2 tracks; 3 openings of 9½, 12, and 32 ft. have been replaced with metal and concrete structures; 6 open culverts and cattle passes have been extensively repaired; the station building at Ashville has been moved over to the new low grade line; 2 bridges have been re-painted; 5.87 miles of new fence built and 33.01 miles extensively repaired; a new side track put in for the Jamestown Metal Furniture Co., Jamestown, and the new low grade line known as the Columbus & Erie railroad is under construction between Lakewood and state line in this State (extends to Columbus, Pa.).

Recommendation: That cattle guards be maintained at highway crossings as required by law.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

FONDA, JOHNSTOWN AND GLOVERSVILLE RAILROAD.

Inspected September 17, 1908. Last previous inspection August 5 and 6, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the steam operated portion of the Fonda, Johnstown & Gloversville railroad, and respectfully submit the following report:

The main line extends from a connection with the New York Central & Hudson River railroad at Fonda to Northville, 25.50 miles. The Broadalbin branch extends from the main line just north of Gloversville to Broadalbin, a distance of 6.2 miles; all single track. There are about 5 miles of sidings and yard tracks. From Fonda to Gloversville the line is crooked, although curves are not generally sharp. There is one curve, however, in Fonda, of about 12 degrees. From Gloversville to Northville, and on the Broadalbin branch, the alignment is good and curves light. The grade from Fonda is about 111 ft. per mile for a distance of about 2½ miles. The grades are light on the remaining portion of main line, and on the Broadalbin branch. The cuts and embankments are generally of good width and the road is well graded and drained. There are a few cuts on main line where ditches should be cleaned and opened.

There are 11 plate girders and 3 truss bridges on the main line, all with good masonry except 2 of the plate girder bridges, which are low structures, in a swamp, and have pile bent abutments in good condition. The ties and guard timbers are standard and in good condition, except guard timbers should be renewed on bridge No. 11. On Broadalbin branch there is 1 plate girder bridge with masonry abutments; girders should be painted to protect from rust, and ties should be renewed. There are no wooden bridges or timber trestles. There is one open culvert on the Broadalbin branch which has recently been rebuilt: 20-in. I-beams having been substituted for the wooden stringers, the masonry repaired, and a new deck added, all in good condition. The arch, box, and pipe culverts are all in good condition.

Cross-ties, nearly all cedar, are 6 x 8 in., 8 ft. in length, and laid at the rate of 2816 to the mile of track; all are full spiked. Tie-plates are used on some of the sharper curves. The cross-ties are in good general condition, 5500 having been renewed since last inspection.

About 2 miles of the main line between Johnstown and Gloversville are laid with 80-lb. steel rail, ½ mile new 80-lb. having been laid since last inspec-

tion; 6 miles between Johnstown and Fonda are laid with 75-lb. rail, and the balance of the line, 17½ miles, is laid with 70-lb. rail. The 80-lb. rails are connected by Weber joints 24 in. in length with 4 bolts; the 75-lb. rails by angle plates 36 in. in length with 6 bolts; and the 70-lb. rails by angle plates 24 in. in length with 4 bolts; connections full bolted and no loose bolts observed. On the Broadalbin branch ½ mile has been relaid with 70-lb. second-use rail, replacing worn 56-lb. rail; the balance of line is laid with 56-lb. rail connected by angle plates 24 in. in length with 4 bolts; connections full bolted and bolts generally tight. The main-line rail in good condition; on Broadalbin branch the rail is somewhat worn and "kinked," but in fair condition for the light traffic and moderate speed maintained.

All main-track switches are split point, with automatic stands on main line and rigid stands on Broadalbin branch; all targets in good condition. Switch lamps show red for danger and white for safety. Main-line frogs are spring rail; Broadalbin branch, rigid frogs. Derailing switches are in all sidings where their use appears necessary, and are provided with targets.

The main line is ballasted with a fair quantity of gravel; the Broadalbin branch is sand ballasted. The alignment and surfacing of main line are good; on Broadalbin branch the alignment is fair and surface not good, due to "set" in rails. On the main line the sections are about 5 miles in length, and section force consists of a foreman and 5 laborers. On the Broadalbin branch there is a foreman and 3 laborers. Each gang is provided with flags and torpedoes, and all portions of the road are patrolled daily by some member of the section force.

Tracks of the electrically operated portion of the Fonda, Johnstown & Gloversville railroad are crossed at grade as follows: On North Perry street, Johnstown, known as the Fair Ground crossing, one track crossed by one track: there are no derails in operation, but a flagman at the crossing protects same. In Gloversville, at South Main street there are two tracks, at Main street one track, and at Kingsboro avenue one track, crossed by the single track of the electric road: there are derailing switches in the track of the electric road at each of the crossings, but no protection over the trolley wire.

The right of way is clean and free from trees and brush. Fences are of wire, and on main line are in good condition; on the Broadalbin branch the fences are poor, and are lacking for a considerable distance. Mile-posts are maintained and are well painted.

The highway crossings are well graded and planked, and all, except those in Johnstown and Gloversville, are protected by signs of diamond form well painted. On main line, wooden- or metallic-slat cattle guards are maintained at each boundary of all highways crossed at grade, with good wing-fences. No cattle guards are maintained on the Broadalbin branch. Whistle-posts, well painted, are maintained at the prescribed distance. In Gloversville there are two crossings where flagmen are maintained throughout the year, and one crossing where flagman is maintained during the summer months. In Johnstown, one crossing with flagman throughout the year, and two crossings with flagmen during the summer months.

The station buildings are in good repair and are properly furnished; at Johnstown and Gloversville the stations are very large brick buildings, the one at Gloversville containing the general offices of the company.

Since last inspection ½ mile of new 80-lb. rail has been laid between Johnstown and Gloversville, replacing 70-lb., and ½ mile of second-use 70-lb. has been laid on the Broadalbin branch replacing worn 56-lb.; 5500 cross-ties have been put in track, of which number 1000 were on the Broadalbin branch; targets have been placed on derailing switches, all signs have been re-painted and wing-fences whitewashed; 2 miles of wire fence have been built on main line, and 1 mile on Broadalbin branch; on the Broadalbin branch the cattle pass has had masonry repaired, and 20-in. I-beam stringers put in place of the wooden stringers, with new ties and guard timbers; a 15-in. tile culvert has been replaced with 15-in. cast-iron pipe.

Recommendations: That necessary repairs be made to guard timbers on bridge No. 11; that necessary repairs be made to fences; that cattle guards

with proper wing-fences be maintained at each boundary of all highways crossed at grade, and that ditches be opened and cleaned in a few cuts on main line where same are more or less filled.

Respectfully submitted,
E. F. VAN HOESEN,
Inspector Steam Railroads.

FULTON CHAIN RAILWAY.

Inspected August 31, 1908. Last previous inspection September 18, 1906.
To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Fulton Chain railway, and respectfully submit the following report:

The Fulton Chain railway connects with the Mohawk & Malone branch of the New York Central & Hudson River railroad at Fulton Chain and extends to Old Forge, a distance of 2.29 miles, single track, and has approximately 0.26 mile of sidings and yard tracks. The road is considerably crooked, but curves are moderately light. The grades are considerably broken, and for short distances moderately steep. The roadway is fairly well graded; not very thoroughly ditched, but as the ground is of a sandy nature and the cuts short, little ditching is required.

There is but one iron bridge: it is in good condition, fairly well painted, and while rather light, is sufficient for the class of motive power and rolling stock used on the road; it has good masonry, standard ties and guard timbers properly maintained, and inside guard rails. There are no timber structures in the roadway and no overhead bridges, no open culverts or cattle passes, and no arch culverts. The stone box culverts and iron-pipe drains are in proper condition.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2640 to the mile of track; nearly all are cedar; they are in good condition, well spaced and full spiked. Nearly the entire track is laid with 75-lb. rail, connected by angle plates 30 in. in length with 6 bolts. A little 60-lb. rail yet remains in the Old Forge yard. The 75-lb. rail is in good condition; the 60-lb. rail considerably worn, but it is only used where trains move very slowly. All connections are full bolted and bolts tight. The main-track switches are split point and have automatic stands with proper targets. Switch lamps show red light for danger and white for safety. Most frogs are rigid. No derailing switches are necessary.

The track is lightly ballasted with sand and gravel. The alignment and surfacing of the track are very good for the moderate speed maintained and the outer rail on curves properly elevated. The maintenance of track is under the supervision of and cared for by the section force of the New York Central & Hudson River railroad on the Mohawk & Malone branch.

The road is constructed for nearly its entire length through timber lands, and only the trees in the immediate vicinity of the track have been cut. Fences and cattle guards are not maintained and apparently not needed, as there is no grazing land adjoining the railroad. The highway crossings are properly graded and protected by signs of the diamond or triangular form, properly located and in good condition.

The trains are operated by the telegraphic train order system.

The only station building maintained by the company is at Old Forge: it is a frame building, in good repair and apparently sufficient, and is properly furnished.

The motive power and rolling stock of the New York Central & Hudson River railroad operate the road.

Recommendation: That large trees standing so near the track as to be liable to fall on it be cut and removed, and that the remainder of the worn 60-lb. rail in main track be replaced.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

GENESEE AND WYOMING RAILROAD.

Inspected August 14, 1908. Last previous inspection August 30, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Genesee & Wyoming railroad, and respectfully submit the following report:

The Genesee & Wyoming railroad is a single-track line extending from a connection with the Delaware, Lackawanna & Western railroad at Greigsville to a connection with the Buffalo, Rochester & Pittsburgh railway and Lehigh Valley railroad at Pittsburgh and Lehigh Junction, a distance of 14.39 miles, and a branch extending from the main line at Retsof to a connection with the Rochester division of the Pennsylvania railroad at Piffard, a distance of 1.77 miles. This branch is used only for the transportation of freight. The main line is used principally as a freight line, but passengers are carried on some trains. There are about 1.85 miles of sidings and yard tracks. The alignment of main line is good and curves are light. The branch line is crooked and there are some sharp curves, with a maximum of about 10 degrees. The grades of the main line are light and regular. On the branch line grades are steep and irregular, with a maximum of about 200 ft. per mile. The roadway is well graded, the cuts and embankments are of proper width, and roadbed is well drained.

There are 2 deck plate girder bridges, one of them for double track with separate bridge for each track. These bridges are in good condition. The masonry is in good condition and the ties and guard timbers standard and in good repair. There are 2 steel trestles or viaducts, one 480 feet, the other 395 feet in length; masonry abutments and piers, standard ties and guard timbers, all in good condition, except some tie renewals are needed on the 395-ft. viaduct. There are no wooden bridges nor timber trestles. There is one overhead highway bridge. There are 8 open culverts and cattle passes: 2 have timber stringers with timber bent abutments; 2 have timber stringers and masonry abutments; and 4 have I-beams and masonry abutments; they are all in good condition with standard ties and guard timbers, except on 2, where guard timbers are lacking. There are no arch culverts. The box and pipe culverts are apparently in good condition.

The cross-ties are 6 x 8 in., 8 ft. in length, and are laid at the rate of 2816 to the mile of track; they are of yellow pine, oak, and chestnut timber, and are in good condition, necessary renewals having been made.

About 1½ miles of the main-line track and ¼ mile of the branch track are laid with 61-lb. steel rail. The remainder of main line and 1½ miles of branch line are laid with 70-lb. steel rail. The 70-lb. rail is in first-class condition, that portion on the branch line being new rail laid since last inspection. The 61-lb. rail on main line is in fair condition; on the branch line, while not quite as good, the rail on curves has been replaced with new 70-lb. rail. The 70-lb. rails are connected by angle plates 36 in. in length with 6 bolts, the 61-lb. by angle plates 24 in. in length with 4 bolts; all connections full bolted and bolts generally tight. Switches are split point and have automatic stands; targets well painted. Switch lamps show red for danger and white for safety. Frogs are rigid. Derailing switches, with targets on switch stands, are in all sidings where their use is necessary.

The track is well ballasted with gravel. The alignment and surfacing of the track are good. The section force consisted of a foreman and 8 men at time inspection was made, with a maximum of 14 laborers. All portions of the track are patrolled daily.

Near Pittsburgh and Lehigh Junction one track of the Attica branch of the Erie railroad and one track of the Canandaigua branch of the New York Central & Hudson River railroad are crossed at grade: these crossings are located about 800 feet apart, and are protected by an interlocking plant located about midway between them, with home and distant signals on all tracks.

The right of way is clear and is well fenced. Mile-posts are maintained.

The highway crossings are well graded and planked. They are protected by signs of the diamond form, well painted. Wooden- or metallic-slat cattle guards with suitable guard-fences are maintained at the boundaries of all highways crossed. Whistle-posts are properly located.

The movements of trains are governed by the telegraphic train order system.

The station buildings, while small, are neat, clean, and in good repair, and are apparently sufficient for the requirements.

One cattle pass has been rebuilt and one has been filled since last inspection. One and one-half miles of new 70-lb. rail has been laid on branch line, replacing worn 61-lb. rail.

Recommendation: That necessary tie renewals be made on the 395 ft. steel trestle.

Respectfully submitted,
E. F. VAN HOESEN,
Inspector Steam Railroads.

GLENFIELD AND WESTERN RAILROAD.

Inspected July 16, 1908. Last previous inspection July 22, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Glenfield & Western railroad, and respectfully submit the following report:

The Glenfield & Western railroad is a single-track line connecting with the Rome, Watertown & Ogdensburg division of the New York Central & Hudson River railroad at Glenfield and extending to Monteola, a distance of 19.45 miles, single track, and has 1.75 miles of sidings and yard tracks. The road is very crooked and the grades steep. The maximum curves are 16 degrees, and there are several of them; the maximum grade 269 ft. per mile in several places, the longest being about $2\frac{1}{2}$ miles. The grades are irregular and much broken, to conform as nearly as possible with the natural surface of the ground. The road is used almost exclusively for transporting timber, lumber, and pulp wood from lands owned by the lumber companies owning the railroad, and very little freight aside from that is carried.

The grading on the newly constructed portion of the road from Page to Monteola, 6.45 miles, has not been well done. There is very little cutting, the road running for much of the distance through a swamp, and the embankments are made partly of logs with dirt covering over them. In some cases so little embankment was made in the swamps that water and mud are forced up through the logs on to the track. On this portion of the road no regular trains operate, and no passengers are carried, the road being used entirely for the handling of logs and pulp wood. The company claims, however, that it will reinforce the embankments in such places, and also cut down summits to make the grade lighter and more regular. On the older portion of the road the cuts and embankments are generally of fair width; the ditches, however, in places have become considerably clogged and should be cleaned.

There are 3 iron bridges: they are in good condition, have standard ties and guard timbers, and are erected on concrete masonry; 2 of them have been built since the last inspection, replacing timber trestles; the remaining one, a deck lattice bridge near Glenfield, should be re-painted to prevent injury from rust. The only wooden-span bridges are for overhead highway and farm crossings, and are in proper condition. There is but one overhead obstruction: that is an overhead highway bridge, and is protected by warning signals. There are a large number of from 2- to 4-spans of framed bent timber trestles used for crossing small streams: they are of standard construction, mainly of hemlock timber; some of them are getting old and have been strengthened by putting in additional stringers and intermediate bents, and others needing it (to which attention was directed) are promised the same treatment; none are in condition to be considered as in any way dangerous. Nearly all the open culverts and cattle passes are constructed entirely of timber; a few have concrete or stone masonry abutments, and all have timber stringers. On the newly constructed portion of the road the abutments are made of round timbers, and in some cases timbers hewn on the top and bottom side are used for stringers. Some stringers are of birch and other hard wood which will decay in a very short time; they are, however, safe for the present, being new and having surplus of strength, but will be likely to need renewal in two or

three years, as that class of timber decays very quickly. All have standard ties, and all excepting those on the newly constructed portion have guard timbers, and guard timbers are expected to be put on those in the near future. There are no arch culverts. Stone box and pipe drains are in proper condition.

The cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of from 2464 to 2816 to the mile of track; on about one-half the road, nearest Glenfield, the ties are practically all cedar; on the remaining portion they are mixed cedar, spruce, hemlock, and various kinds of native hard wood. They are in very fair condition generally, although probably about 10 per cent. will need renewal this season, and are full spiked and generally well spaced.

The track is laid with mixed 60- and 65-lb. steel rail, connected partially by angle plates 24 in. in length with 4 bolts, and the remainder by angle plates 34 in. in length with 6 bolts. The rail, while somewhat worn, is in fair condition for the light traffic, the connections are full bolted and practically all bolts tight.

The switches on the portion of the line where passenger trains run are split point and have automatic stands; on the newly constructed portion of the road there are some stub switches with rigid stands; all are in fair condition. No night trains are operated, therefore no switch lamps are provided. The frogs are rigid and in fair condition. Derailing switches are in all sidings where their use appears necessary.

The main track on the older portion of the road is lightly ballasted with gravel and sand; on the newly constructed portion there is very little ballast. On the older portion of the road the line and surface while somewhat irregular are not bad, considering that the speed of trains is limited to 12 miles per hour. On new part, poor. The track is maintained by a force consisting of 3 foremen and 18 laborers.

The right of way through the settled portion of the country is fairly clean; through the forest, where the road runs for a considerable portion of its length, there still remain some brush and scattered trees, although nearly all have been cut. The fences are of wire and are only maintained opposite grazing land.

The highway crossings are very well graded, planking in proper condition, and are protected by signs of the diamond form. A few slat cattle guards are maintained, but in most cases cattle guards are lacking.

At Glenfield the station building of the New York Central & Hudson River railroad is used; at Houseville there is a small, frame, combination station, but there is no agent, and apparently no freight excepting coal delivered at that place, and practically nothing shipped. There are two or three other flag stops made by trains, but no stations maintained. At Page the lumber company has buildings, including a store and freight house, which are used by the railroad for waiting passengers, and for freight when there is any. There are no agents on the line of the road, and all the business, freight and passenger, is handled by the conductor of the train which operates over the road once daily in each direction.

Since the last inspection 2.67 miles of new road have been constructed; 10 per cent. of the cross-ties have been renewed; 9 framed trestle bridges have had additional bents put in, shortening the spans; several others have had an additional stringer put in on either side; new ties have been put on several open culverts and cattle passes; 2 new iron bridges put in, replacing timber trestles; light necessary repairs have also been made to other trestles, open culverts, and cattle passes.

Recommendations: That the embankments on the newly constructed portion of the road be strengthened; that necessary cleaning of ditches on the entire road be done; that new ties be put on the fourth opening east of Page; that intermediate bents be put in at the thirteenth opening east of Gulf Head; a new cap on the fourteenth opening east of Gulf Head; intermediate bents on the sixteenth opening east of Gulf Head; intermediate bents and new ties on the eighteenth opening east of Gulf Head; new ties on the second opening west of Houseville; and that the deck lattice bridge near Glenfield be repainted; and the alignment and surfacing of track be improved.

Respectfully submitted,
J. D. SCHULTZ,
Steam Railroad Inspector.

GREENWICH AND JOHNSONVILLE RAILWAY.

Inspected October 30 and 31, 1908. Last previous inspection July 16, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Greenwich & Johnsonville railway, and respectfully submit the following report:

The Greenwich & Johnsonville railway is a standard-gauge, single-track road extending from a connection with the main line of the Boston & Maine railroad at Johnsonville to a connection with the Schuylerville branch of that company's railroad at Northumberland, a distance of 21.24 miles, and has about 2.25 miles of sidings and yard tracks. The Salem branch, which was opened for freight traffic during September, 1907, extends from a connector with the main line of the Greenwich & Johnsonville railway at Greenwich to a connection with The Delaware and Hudson Company's railroad near Salem, a distance of 10.20 miles, and has about 1.50 miles of sidings and yard tracks. The alignment of main line is quite crooked, but most curves are light; the maximum is 8 degrees. The grades are long, but generally regular; the maximum is 90 ft. per mile. The Salem branch has good alignment, with light curves and grades. Cuts and embankments are generally of full width. There are a few cuts, both main line and branch, where material has washed down and filled ditches which should be cleaned and there are a few embankments which should be widened on main line. The drainage system is generally good.

The iron and steel bridges are in good condition and have been re-painted since last inspection. Numbering all structures from Johnsonville, No. 1 is a new deck plate girder structure of 8 spans over the Hoosick river at Johnsonville, replacing the wooden Howe truss bridge and trestle approach destroyed by fire in the summer of 1907. All bridges have standard decks in good condition. The masonry is generally in good condition except as follows: No. 7 has a poor bridge seat on south abutment under east girder; No. 8 has bent in front of the north abutment which has failed, but which is safe in present condition; No. 30 has rubble masonry abutments, one corner of south abutment is slightly undermined and the north abutment is cracked; No. 31 has timber bent in front of the north abutment which has failed. There are 3 bridges on the Salem branch, with concrete masonry; all are new and in good condition. There are no wooden bridges in the roadway. There is one overhead bridge carrying a highway over the track, at full clearance height above track. At Greenwich there is a framed bent, yellow pine timber trestle of 20 spans, in good repair. An inside guard rail is maintained on this trestle and the adjoining deck plate girder bridge of 6 spans.

There are 16 open culverts or cattle passes with I-beam stringers and masonry abutments; 5 with wooden stringers and masonry abutments; 1 with both I-beam and wooden stringers on masonry abutments; and 1 with wooden stringers and timber abutments. A number of the I-beam spans are light, and should be strengthened. The masonry is generally in good condition; one or two structures have abutments which show signs of failure and now have timber bents in front of abutments to carry the load; they are in safe condition, but should in time be rebuilt; No. 24, an opening of 6-ft. span with three 8 x 9 wooden stringers under each rail, has poor rubble masonry which should be rebuilt. The ties and guard timbers on the open culverts and cattle passes are standard construction and in good condition. There is one cattle pass or undercrossing on the Salem branch, with I-beams and concrete abutments, new and in good condition. The arch, box, and pipe culverts are apparently in good condition.

The cross-ties on the portion of the road between Johnsonville and Greenwich are about 60 per cent. oak and 40 per cent. chestnut; they are in fair condition; on the portion between Greenwich and Northumberland the ties originally were practically all tamarack, and extensive tie renewals have since been made. The condition of ties on this portion of the line has been greatly improved since last inspection, and tie renewals were being made at the time your inspector visited the road. The standard dimensions are 6 x 8 in., 8 ft. in length, and they are laid at the rate of 2816 to the mile of track; all are full spiked and fairly well spaced.

About 2.85 miles of main track are laid with 74-lb., 4 miles with 67-lb., 2 miles with 65-lb., 4 miles with 60-lb., and the remainder, 8.39 miles, with 56-lb. steel rail. Nearly all rail is connected by angle plates 24 in. in length with 4 bolts; a few Fish plates are still in use on the lighter rail; all connections full bolted and few loose bolts observed. The rail generally is in fair condition, some of the lighter rail is considerably worn. The Salem branch is laid with 80-lb. steel rail connected by angle plates 30 in. in length with 6 bolts; all connections full bolted; a number of loose bolts were observed.

With the exception of one 3-throw stub switch in the Greenwich yard, all the main-track switches are split point and have automatic stands with well painted targets. Switch lamps show red for danger and white for safety. The frogs are rigid. A derailing switch with target is in the siding at Summit station.

The track on main line and branch is ballasted with gravel in fair quantity. The alignment and surfacing of main-line tracks are fair, and on the Salem branch are good. The track sections on main line are about 7 miles in length, and on Salem branch are about 5 miles in length. The average force consists of a foreman and 6 laborers in summer, a foreman and 4 laborers in winter. Each gang is furnished with proper articles for protecting its work. All portions of the track are patrolled daily by some member of the section gang.

At Thomson, one track of the Hudson Valley railway (electric) is crossed at grade; also two tracks of a tramway belonging to the United Box Board Paper Company are crossed at grade at the same place: there are no derailing switches in the track of the electric road, nor is there protection over the trolley wire; the crossing is protected during the day by a flagman, and all trains are required to come to a full stop.

The right of way on both main line and branch is clean and clear. The main-line fences are in fair condition, generally of wire; some fencing lacking, but in most cases this occurs where ground is such that it is not necessary. On the Salem branch fences of woven wire are along the right of way lines for the greater portion of the way, and where lacking the fence-posts are set and the fence wire was on the ground at the time of inspection.

The highway crossings are well graded, properly planked, and are protected by signs of diamond pattern, well painted and properly placed. On the main line, 1 crossing is protected by flagman and 23 by crossing-signs only. On the Salem branch there are 7 crossings protected by crossing-signs. There are no cattle guards maintained on the Salem branch, or on the portion of road between Greenwich and Northumberland. Wood- and metallic-slat guards are maintained on the remaining portion of the road. Whistle-posts are located at the proper distance from crossings.

The movements of trains are governed by orders issued by telephone.

The stations on main line are small, but apparently sufficient for the requirements; 3 of them are located in buildings which are used for store purposes.

About 13,000 cross-ties have been placed in main-line track since last inspection; a new steel bridge has replaced the wooden Howe truss bridge over the Hoosick river at Johnsonville, length about 450 feet; all bridges have received two coats of paint and have had new bridge ties; the tracks in the Greenwich and Johnsonville yards have been readjusted and re-laid. The timber trestle at Greenwich has been repaired and strengthened; arch and box culverts have been repaired wherever necessary; and near Thomson a new concrete arch culvert has replaced a tile and iron-pipe culvert.

Recommendations: That ditches be cleaned where necessary; that the light I-beam stringers be strengthened; that the masonry be rebuilt or repaired as indicated in this report; and that cattle guards with suitable guard-fences be maintained at each boundary of all highways crossed at grade.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

ISLAND RAILROAD.

Inspected August 21, 1908. Last previous inspection July 28, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Island railroad, and respectfully submit the following report:

The Island railroad consists of a series of switching tracks extending from a connection with the Buffalo Creek railroad near Ganson street, Buffalo, to the elevator and warehouse of the Mutual Elevator Company and the Mutual Transit Company, located on the Ship canal. The length of track from the connection to the end is 0.14 mile, and the total length of tracks is about $1\frac{1}{2}$ miles. There are no bridges or other structures in the roadway. The tracks are laid with various weights of steel rail, and are in fair condition. As the track is used for freight purposes only, and is in fair condition for that purpose, no recommendations are necessary.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

JAMESTOWN, CHAUTAUQUA AND LAKE ERIE RAILWAY.

Inspected October 7, 1908. Last previous inspection September 19, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Jamestown, Chautauqua & Lake Erie railway, and respectfully submit the following report:

The Jamestown, Chautauqua & Lake Erie railway is a single-track line extending from Jamestown, on the line of the Meadville division of the Erie railroad, to Westfield, where it connects with the Lake Shore & Michigan Southern railway, a distance of 31.25 miles, and has about 5 miles of sidings and yard tracks. A branch track, which connects with the Chautauqua division of the Pennsylvania railroad at Mayville, extends to Chautauqua, a distance of 2.68 miles; it is used only as a switching track, is in fair condition for a track of that kind, and is not further considered in this report. The road has trackage right over the Pennsylvania track from the connection with the Chautauqua branch at Mayville to the connection with its own main line, a distance of about 1.20 miles. The Falconer branch, which extended from a connection with the main line near Jamestown to Falconer, has been abandoned for several years.

The line is very crooked. From Mayville south most curves are light; the maximum is 12 degrees. The grades on this portion are generally light, although there is a short piece of 80 ft. per mile. From Mayville north to Westfield there are many sharp curves; the maximum is 18 degrees at the Westfield terminal; aside from that the maximum is 12 degrees. On this portion of the road the grades are long and steep, the maximum being 106 ft. per mile. South of Mayville the cuts and embankments are of good width and ditches in fair condition; north of Mayville there are several sliding cuts and ditches are more or less filled. Aside from this the cuts are of fair width, ditches fair, and embankments of good width.

The only iron bridge is an I-beam span of about 20 ft. near Westfield: it has concrete abutments, standard ties, and guard timbers, all in good condition. The only wooden bridge is a Howe truss on the freight-house track at Jamestown: it is very old, the timber decayed badly, and track is supported by piling and stringers: it should be replaced with a new bridge; the pile trestle at the end of the Howe truss bridge is in very poor condition and should be rebuilt. Between Jamestown and Mayville there are many pile and framed bent trestles; many of these need repairs; the timber is old and they should be thoroughly overhauled; ties should be renewed on many of them and guard timbers maintained. The attention of the company's representative who accompanied your inspector was called to these and other repairs needed; north of Mayville there is one framed bent trestle which is in good condition.

South of Mayville the open culverts and cattle passes are constructed entirely of wood; repairs are needed on many of them; some of the stringers are old; the pile or framed bent abutments are in many cases in need of repairs; and like the timber trestles, they should be generally overhauled. North of Mayville the open culverts and cattle passes have rubble masonry and wooden stringers; the masonry is in fair condition, excepting No. 5 should be rebuilt, as it is in very poor condition; the stringers are in fair condition, ties fair, guard timbers poor and some lacking. The arch, box, and pipe culverts are apparently in good condition.

Standard dimensions of cross-ties are 6 x 8 in. 8 ft. in length, and they are laid at the rate of 2816 to the mile of track; about 50 per cent. are oak, balance chestnut and other timbers. The ties are in fair condition; many renewals should be made, particularly south of Mayville. They are fairly well spaced and are full spiked.

From Mayville south to Jamestown the rail is 60-lb. steel, connected by 24-in. angle plates with 4 bolts; much of the rail is considerably worn and bent and renewals are needed. From Mayville north to Westfield the rail is 70-lb. steel, connected by angle plates 34 in. in length with 6 bolts; this rail is in good condition. All connections are full bolted and bolts generally tight. All main-track switches are split point; both automatic and rigid stands are in use; targets are fairly well painted. Switch lamps show red for danger and white for safety. Frogs are rigid and in fair condition. Derailing switches are in all sidings where their use appears necessary, but are not supplied with targets.

The track is ballasted with gravel in medium quantity. The alignment and surfacing are fair. The track sections average about 5½ miles in length and force on each consists of a foreman and 6 laborers. Each gang is furnished with flags and lanterns, and all portions of the road are patrolled daily by some member of the section force.

At Jamestown 3 tracks of the Meadville division of the Erie railroad are crossed at grade: the crossing is protected by a modern interlocking plant; at Mayville 1 track of the Chautauqua division of the Pennsylvania railroad, protected by a modern interlocking plant. At Jamestown 1 track of the Jamestown street railway (electric): there are no derailing switches in the track of the electric road nor protection over the trolley wire.

The right of way is fairly clear. There are no trees, but some small brush remaining. Fences are of wire, some in poor condition, and for portions of the line lacking. Mile-posts are maintained.

Highway crossings are well graded, properly planked, and are protected by signs of diamond form. Cattle guards are not maintained. Whistle-posts are properly located.

The movements of trains are governed by the telegraphic train order system; semaphore signals are maintained at telegraph stations.

The stations are small but apparently sufficient for the requirements. The outside closets are generally in poor condition. There are many flag stops where shelter stations are provided.

In 1907, 17,000 cross-ties, and in 1908, 4000 cross-ties were renewed; the track through the swamp near Jamestown was ballasted with gravel; alterations and repairs were made to freight house at Jamestown, and some minor repairs made to trestles and open culverts.

Recommendations: That ditches be opened in cuts where necessary; that a new bridge be built in place of the present old Howe truss at Jamestown; that prompt renewals be made to the trestles at the end of the Howe truss bridge at Jamestown; that the timber trestles, open culverts, and cattle passes be generally overhauled and put in good condition; that renewals be made to cross-ties; that repairs be made to fences; and that cattle guards be maintained at highways crossings as required by law.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

KANONA AND PRATTSBURGH RAILWAY.

Inspected August 13, 1908. Last previous inspection March 25 and April 10, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Kanona & Prattsburgh railway, and respectfully submit the following report:

The Kanona & Prattsburgh railway is a single-track, standard-gauge road extending from a connection with the Rochester branch of the Erie railroad at Kanona to Prattsburgh, a distance of 11.44 miles. The general alignment of the road is fair, and most of the curves light. The grades are generally light, but more or less broken. The cuts are generally fair width, but material has washed down in some of them, closing the ditches, and should be removed. The embankments are generally of fair width. The ditches, where necessary to maintain them, are not in good condition and considerable ditching should be done.

There are 5 plate girder bridges which, while somewhat light, are of sufficient strength for the class of motive power and rolling stock used. The first and second bridges south of Prattsburgh have pile bents in front of abutments to carry the load. At the first bridge the masonry is not first class; at the second bridge, one abutment settled so that piling was necessary. At the third bridge south of Prattsburgh, an 18-in. girder, the south abutment has settled at the west corner and overhangs about 8 inches in the 5-ft. height; this abutment should receive attention; a number of small pieces of wood are used in blocking at this corner, and it would be much safer and better to substitute one block of the proper thickness. The fifth bridge south of Prattsburgh, a 24-in. girder, has not the same angle of skew as the masonry, with the result that the northwest and southeast corners have a slight bearing on the timber wall plates; while in good condition at present, these bearings should be watched. All bridges have proper guard timbers. No inside guard rails are maintained. There are 12 open culverts and cattle passes, all 12 x 12 wooden stringers except one where there are 15-in. I-beam stringers. All but 3 have masonry abutments. Repairs should be made to stringers on the sixth, seventh, ninth, and eleventh from Prattsburgh; at this last structure the north abutment should be rebuilt. Guard timbers on some of the structures need renewal. There are no arch culverts. The box and pipe culverts are in fair condition.

The cross-ties, 6 x 8 in., 8 ft. in length, are principally chestnut and oak, the oak being used on curves, and are laid at the rate of 2640 to the mile of track; about 4200 new ties have been put in since last inspection; additional renewals are necessary. The track is laid with 60-lb. steel rail, connected by angle plates 28 in. in length with 4 bolts. The rails are somewhat worn, but are generally in fair condition. Very few loose bolts were observed. Switches are split point, and have rigid stands with targets; targets need re-painting. Frogs are rigid. There are no derailing switches.

The track is lightly ballasted with gravel. Two sections of track, one about 2000 feet long, the other about 1500, had been ballasted and put in good line and surface at the time inspection was made, but additional ballasting should be done, particularly in some of the cuts. The alignment and surfacing are poor, particularly at those points where ditches are not properly opened and where ballast is thin and poor. Grass and weeds are growing between the ties. The section force consists of a foreman and 4 men for each of the two sections of about equal length. They are furnished with flags and torpedoes.

The right of way is cleared, some grass and weeds to be cut. Fences are of wire, and in some places need repairs. There are no mile-posts maintained.

There are 11 highway crossings at grade, all protected by signs of the banner form, in good condition. The crossings are well planked, and wood-slat cattle guards are maintained at all but 2 of the crossings, with guard wing-fences. At the 2 crossings referred to, there are guards at one boundary line of highway only. Whistle-posts are at the prescribed distance from crossings.

There are two stations at which agents are maintained. These stations are in fair condition, neat and clean at time of inspection. At Kanona the station building belonging to the Erie railroad is used.

About 4200 cross-ties have been renewed since last inspection, and 800 on hand to be put in this season; about 3500 lineal feet of track have been re-ballasted, aligned, and surfaced; the plate girder bridges have been re-painted; 6-ft. open culvert has been filled, with two 15-in. pipe to take care of drainage.

Recommendations: That narrow cuts be widened and ditches be opened and cleaned; that the south abutment of the third bridge south of Prattsburgh be repaired or rebuilt, should there be any further settlement or tipping of the abutment; that necessary repairs and renewals be made to the stringers, masonry, and guard timbers of the open culverts and cattle passes; that grass and weeds be removed from track; that additional renewal of cross-ties be made; that sufficient ballasting be done to permit track being kept in proper alignment and surface.

Respectfully submitted,
E. F. VAN HOESEN,
Inspector Steam Railroads.

LAKE CHAMPLAIN AND MORIAH RAILROAD.

Inspected November 19, 1908. Last previous inspection July 26, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Lake Champlain & Moriah railroad, and respectfully submit the following report:

The Lake Champlain & Moriah railroad extends from a connection with The Delaware and Hudson Company's railroad at Port Henry to Mineville, a distance of 7.66 miles, and has, in connection with the mines at Mineville, the blast furnace at Port Henry, and in Port Henry yard, 15.05 miles of additional tracks. The road is single track and has 3 switchbacks: these in order to overcome the great difference in elevation between the termini of the road. The road is very crooked and has maximum curve of 10 degrees. The grades are steep and nearly continuous at 211 feet per mile. The roadway is well graded and thoroughly drained.

There are 4 steel or iron bridges, all in first-class condition and newly painted; they have good masonry, standard ties and guard timbers properly maintained, and inside guard rails on all. There are no wooden bridges in the roadway or for overhead highway or farm crossings. The only overhead bridge is one with concrete abutments and metal and concrete floor: it has an overhead clearance of 19 feet, and is protected by a double set of warning signals on either side which are properly maintained. There are no timber trestles in the main-line roadway; at Port Henry, where ore is dumped, there are extensive trestles with framed bents, timber stringers, and proper ties and guard timbers, all in fair to good condition. There are no open culverts or cattle passes excepting of about 2 to 3-ft. span, and they are in proper condition. There is one undercrossing of a highway with masonry abutments, timber stringers, standard ties and guard timbers, in good condition; there have been extra bents put in this opening on account of the length of span, 17½ feet. It is proposed to change the line of the road in this vicinity, eliminating the switchback, which will change the location of the crossing. It is now in safe condition. The arch, box, and pipe culverts are apparently in good condition.

The standard cross-ties are 6 x 8 in. 8 ft. in length, and laid at the rate of 2816 to the mile of track; about 50 per cent. of them are yellow pine and the remainder oak; they are in first-class condition, well spaced and full spiked.

The track is laid entirely with 90-lb. steel rail, connected partially by angle plates 24 in. in length with 4 bolts and the remainder by angle plates 30 in. in length with 6 bolts; the rail is in first-class condition, all the connections full bolted and bolts tight; rail braces are used extensively on the

curves. The switches are split point and have automatic stands with proper targets. Switch lamps show red light for danger and green for safety. The frogs are rigid, and are properly maintained. Derailing switches are in all sidings where their use appears necessary, and have proper targets.

The track is well ballasted with ore screenings from the mine. The alignment and surfacing are first class and the outer rail on curves properly elevated. The track is maintained by a force consisting of 3 foremen and 19 laborers, and they are provided with proper appliances for protecting their work.

No railroads, steam or electric, are crossed at grade, and there are no interlocking plants maintained.

The right of way is clear and clean and very well fenced.

There are 6 highway grade crossings, all well graded, properly planked, and protected by signs of the diamond form. No cattle guards are maintained.

The movements of trains are governed by orders issued by telephone. No regular passenger trains are run, but a car is attached to the ore trains in which passengers are carried.

The company maintains a small combination station at Mineville, and also a small station and office building at Port Henry; they are apparently sufficient for the requirements, are properly furnished, and have necessary toilet facilities. The employees are not uniformed.

Since the last inspection (July, 1907) about 6 per cent. of the cross-ties have been renewed; 0.20 mile of new 90-lb. steel rail laid, replacing worn rail; considerable re-ballasting has been done; and inside guard rails have been placed on all the bridges.

Recommendation: The road is being well maintained, and the only recommendation that appears necessary is that cattle guards be put in at each boundary of the highways crossed at grade.

Respectfully submitted,

J. D. SHULTZ,

Steam Railroad Inspector.

LAKE SHORE AND MICHIGAN SOUTHERN RAILWAY.

Inspected October 9, 1908. Last previous inspection April 24, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Lake Shore & Michigan Southern railway, and respectfully submit the following report:

The portion of the Lake Shore & Michigan Southern railway in the State of New York extends from a connection with the New York Central & Hudson River railroad near Exchange street, Buffalo, to the Pennsylvania-State line, a distance of 67.80 miles, double track, and has 61.11 miles of third, 34.83 miles of fourth main track, and 95.43 miles of sidings and yard tracks. The general alignment of the road is good. The curves are slight with the exception of a curve in the Buffalo yard of 4 degrees 30 minutes. The grades are light, the maximum is 33 ft. per mile, ascending west, for 3000 ft. in length, located at West Seneca. The roadway is well graded, cuts are light and full width; embankments are full width, and the drainage system is good.

The steel and iron bridges are in first-class condition, well painted, have good masonry, ties and guard timbers standard and in good condition, and inside guard rails on all openings to grade. There are no wooden bridges in the roadway. There is an overhead wooden bridge carrying highway over tracks, near Dunkirk. This, as well as all other overhead structures, is at full clearance height above track. The only timber trestles in main track are temporary structures where subways or undergrade bridges are being constructed. These trestle structures are in first-class condition. All open culverts and cattle passes have stone or concrete masonry and I-beam or plate girder stringers. The ties and guard timbers are standard and well maintained. The arch, box, and pipe culverts are in good condition. The two main tracks are laid with white oak ties 7 x 9 in., 8½ ft. in length, 15 per cent. renewed each year; the third main track is laid with white oak ties

6 x 8 in., 8 ft. in length, 10 per cent. renewed each year; and the fourth main track is laid with chestnut ties 7 x 10 in., 8 ft. in length, 10 per cent. renewed each year; they are in sound condition and are laid at the rate of 2640 to the mile of track. On the high speed or express tracks they are double spiked on the outside of rail on all curves and double spiked every third tie on tangents. Tie-plates are used on curves.

The two high speed tracks, 135.60 miles, are laid with 100-lb. steel rail, connected by angle plates 40 in. in length with 8 bolts. The third and fourth main tracks are laid with 80-lb. steel rail connected by angle plates 32 and 24 in. in length with 6 and 4 bolts. All the rail is in good condition, the connections full bolted and bolts tight.

All main-track switches are split point and have rigid stands with proper targets. Main-track switch lamps show red for danger and white for safety. Main-track frogs are spring rail. Derailing switches with proper targets are in all sidings where their use appears necessary.

The road is well ballasted with gravel and broken stone. Broken stone ballast was being put under the high speed tracks at the time of inspection. The alignment and surfacing of the tracks are excellent and the outer rails on curves are properly elevated for high speed. The average length of sections is 1.8 miles, with an average force of foreman and 9 laborers. Each gang is furnished with flags, red lights, and torpedoes for the protection of its work. All portions of the track are patrolled daily by some of the section force.

Two freight tracks of the Erie railroad are crossed at grade in Buffalo yard: the crossing is protected by a tilting board signal and all trains are required to come to a full stop before crossing; two tracks of the Buffalo Creek railroad are crossed at grade in South Buffalo: the crossing is protected by an interlocking plant with derailing switches in all tracks approaching the crossing; at Dunkirk a freight track of the Erie railroad is crossed at grade by two Lake Shore tracks: the crossing is protected by a modern and complete interlocking plant. Other interlocking plants are maintained at the connection with the New York Central & Hudson River railroad in Buffalo; at West Seneca governing the west end of West Seneca yard; at Bayview governing crossovers; at Lakeview, Angola, and Silver Creek, also governing crossovers; at Westfield governing crossovers and junction of the Jamestown, Chautauqua & Lake Erie railroad; and at State Line governing end of third track.

The right of way is clear and clean. Fences are of wire and generally in good condition. Mile-posts are maintained. All overhead obstructions are protected by warning signals, in good repair.

The highway crossings are properly graded, well planked, and are protected by crossing-signs of the diamond form, well painted and properly located; 11 crossings are protected by flagmen, 7 by flagmen and gates, 2 by electric bells, and 53 by crossing-signs only; 1 grade crossing at North Evans, 1 at Athol Springs, and 2 at Irving have been eliminated by subways. Whistle-posts are maintained at the proper distance from highway crossings, and wooden-slat cattle guards with proper guard-fences are maintained at the boundaries of all highways crossed at grade.

The movements of trains are governed by the automatic electrical block signal system.

The station buildings are in good condition; are neat, clean, and properly furnished. Station platforms are of plank, gravel, concrete, and brick, and are well maintained. The station grounds are well kept, and have flowers, plants, and shrubs at the more important stations.

Since last inspection (April, 1907) 15 per cent. of the cross-ties in the high speed tracks, and 10 per cent. of the ties in the third and fourth tracks have been renewed; 9 miles of 100-lb. steel rail have been laid, replacing 80-lb. steel rail; 37 miles of track have been re-ballasted with broken stone and 9 miles with gravel; 2.1 miles of woven-wire fence have been built; 7 miles of track have been laid in the Gardenville yard connection.

The entire property is well maintained and no recommendations are necessary.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

LEHIGH AND HUDSON RIVER RAILWAY.

Inspected October 23 and 24, 1908. Last previous inspection August 22, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Lehigh & Hudson River railway and Orange County railroad, and respectfully submit the following report:

The Lehigh & Hudson River railway in this State extends from the Pennsylvania-State line near New Milford to Greypoint, a distance of 14.5 miles, and the Orange County railroad (operated by The Lehigh and Hudson River Railway Company) extends from a connection with the Lehigh & Hudson River railway at Hudson Junction, near Greycourt, to a connection with the Central New England railway at Maybrook, a distance of 10.7 miles. Both are single-track roads, and in this report are treated as one line. The two roads have approximately 13.1 miles of sidings and yard tracks. The general alignment is good, and curves are generally light. The maximum curve is 6 degrees, one located just east and one just west of West Craigville. The grades are generally light, the maximum grade being 63.4 ft. per mile for a distance of 3700 ft. at a point just west of Sugar Loaf. The cuts are good width generally, the embankments are all fair width, and drainage system is good. There are two or three cuts where ditches should be opened.

The steel and iron bridges are in good condition and well painted. The viaduct structure over the Erie railroad tracks at Greycourt has been replaced with 2 spans of through plate girder, with concrete masonry; the remainder of the opening has been filled with a concrete arch to take care of roadway leading to house. The bridge near Burnside of about 159-ft. span is of light construction, but is in good condition and of sufficient strength for class of motive power used on the road. The masonry to bridges is in good condition, ties and guard timbers are of standard dimensions and in good repair, and inside guard rails are maintained. The only wooden span bridges are for overhead highway and farm crossings. Iron bridges are also used in the overhead highway crossings.

There is a temporary trestle of 2 spans, No. 25, over an 8-ft. opening. The intention is to build new masonry for a 10-ft. opening. There is one trestle of 4 spans, total length 49 ft., on the Orange County railroad. This trestle, as well as the temporary one, is of standard construction and in good condition. There are about 50 open culverts and cattle passes: 2 are constructed entirely of timber; 7 have pile bent abutments and T-rail stringers and the balance have masonry abutments; 8 have iron girders or beams for stringers; 9 have T-rail stringers and the balance have timber stringers. The ties and guard timbers are of standard dimensions. Nos. 65, 36, and 35 should have ties renewed; No. 53 should have guard placed on it, as at time of inspection there were no guard timbers on structure and ties were poorly spaced; Nos. 52 and 6 need repairs to masonry. Five open cattle passes have been replaced since last inspection with concrete structures having concrete and rail tops. The concrete arch at Greycourt is in good condition. The box and pipe culverts are apparently in good condition.

The standard cross-ties are 7 x 9 in., $8\frac{1}{2}$ ft. in length, and are laid at the rate of 2816 to the mile of track; about 50 per cent. are yellow pine, 25 per cent. chestnut, and 25 per cent. oak; they are well spaced, full spiked, and about 20 per cent. have been renewed since last inspection.

About 23.46 miles of main-line track are laid with 80-lb. steel rail, about 1.5 miles with 65-lb., and 0.24 mile with 60-lb. rail. The 80-lb. rail is connected by angle plates 30 in. in length with 6 bolts; the 65- and 60-lb. rail by angle plates 24 in. in length with 4 bolts. The 80-lb. rail, much of it new, is in good condition; all connections are full bolted and bolts generally tight. All main-track switches are split point and have automatic stands with targets well painted. Switch and semaphore lamps show red light for danger and white for safety. Spring rail and rigid frogs were in track at time of inspection, but the rigid frogs are being replaced with spring rail. Derailing switches, with proper targets, are in all sidings where their use appears necessary.

The tracks are ballasted with gravel and cinders in fair quantity. The alignment and surfacing of track are good, and the outer rail on curves properly elevated for the speed at which trains are scheduled. The average length of sections is about 4 miles, and the average force maintained a foreman and 6 laborers. Each gang is furnished with flags for protecting work, and all portions of the track are patrolled daily by some member of the section force.

Two tracks of the New York, Ontario & Western railway are crossed at grade by one track of the Lehigh & Hudson River railway (Orange County railroad) at Burnside: the crossing is protected by a modern and complete interlocking plant.

The right of way is free from trees, brush, and rubbish, and fencing is in good condition; mile-posts are maintained.

The highway crossings are properly graded and planked, and are protected by signs of the diamond form properly located and well painted. Of the 27 grade crossings of highways, one is protected by flagman and gate. Metallic-slat cattle guards are at most of the boundaries of highways crossed at grade, some are without guards and a number of the wing-guard fences are in poor condition. Whistle-posts are maintained at the proper distances from crossings.

The movements of trains are governed by the telegraphic train order system and trains are spaced 5 minutes apart at all stations.

The station buildings are generally in good condition. The combination frame station at Hamptonburg and platform should have repairs made where necessary.

At least 20 per cent. of the cross-ties have been renewed since last inspection; about 9 miles of 80-lb. steel rail have been laid replacing a like amount of 65-lb. rail, and about 9½ miles of 80-lb. rail have been laid replacing a like amount of 60-lb. rail. At Greycourt, bridges Nos. 20 and 2, through plate girder spans, have been erected: one of 53 ft. 10½ in. over Lehigh & Hudson river tracks leading to Greycourt station replacing a 44-ft. tower span, and one 82 ft. 4½ in. over the Erie railroad tracks replacing an 88-ft. riveted truss span, and new masonry built; the 730-ft. tower spans east of the Erie tracks have been filled in; five cattle passes have been rebuilt, using concrete and rail stringers; 3 open culverts and 1 cattle pass have been repaired; about 1.8 miles of new fence built; tracks in Warwick yard extended 1787 feet; and 1666 of new track put in at Warwick new shop yard.

Recommendations: That the masonry to openings Nos. 6 and 52 be repaired; that ties on Nos. 35, 36, and 65 be renewed; that guard timbers be put on No. 53, and that cattle guards with proper wing-fences be maintained at the boundaries of all highway grade crossings.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

LEHIGH AND NEW ENGLAND RAILROAD.

Inspected October 23, 1908. Last previous inspection August 21, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Lehigh & New England railroad, and respectfully submit the following report:

The Lehigh & New England Railroad Company operates in this State the Campbell Hall Connecting railway and the Pochuck railroad. The Campbell Hall Connecting railway connects with the Pine Island branch of the Erie railroad at Pine Island Junction, and extends to the New Jersey-State line, a distance of 3.78 miles, with 0.33 mile of sidings and yard tracks. The Pochuck railroad connects with the Campbell Hall Connecting railway at Glenwood Junction and extends to the Pennsylvania-State line, a distance of 2.70 miles, with 1.02 miles of sidings and yard tracks. The general alignment of the Campbell Hall Connecting railway is good, much of it being tangent with light curves. The grades are very light and for most of the distance level. The Pochuck railroad is crooked, with many sharp

curves, the maximum being 16 degrees. The grades are steep, almost continuously, with a maximum grade of 211 feet per mile for much of its length.

The Campbell Hall Connecting railway (hereafter in this report called main line) is nearly all on embankment. For a considerable portion of the distance the road runs through a low, muck meadow, and track is hard to maintain. The embankment settles and rails creep badly. A large quantity of cinders and some gravel have been put on to lift it up, and a large amount of work of this character is still being done. It is a very unstable roadbed: the passage of every train causes the tracks to creep, and it is necessary to maintain "points" in the track to provide for it. The remaining portion of the roadway is well graded and the drainage good. The Pochuck railroad has some narrow cuts, with poor ditches. The embankments are generally of fair width.

There are no steel, iron, or wooden span bridges on either of the railroads.

On the main line there are 4 trestles, all new, having been rebuilt this year; these trestles are first class, having bents of 5 piles with 12 x 14-in. caps, 12-ft. spans, and 8 x 16-in. stringers; the decks are standard and all the work well done; 2 of these trestles are of 2 spans each, and take the place of former 3-span trestles; 1 trestle of 2 spans has been replaced by 2 lines of 36-in. castiron pipe. On the Pochuck railroad there is 1 trestle about 23 feet in length of 3 spans. The timber is getting old but is in fair condition.

On the main line there are 2 open culverts which are entirely new and take the place of former 3-span trestles; these open culverts have new pile bents and have 3 8 x 16 in. stringers with standard decks; one cattle pass, the first west of Pine Island Junction, has been filled. On the Pochuck railroad there are 4 cattle passes and 1 open culvert with masonry abutments and wood stringers. The masonry in the open culvert is dry rubble and not in good condition. The other structures have fair rubble masonry. Guard timbers are lacking and should be placed. There are no arch culverts. The box and pipe culverts are apparently in good condition.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and are laid at the rate of 2640 to the mile of track. They are of mixed oak and chestnut, and on the main line are in good condition. About 3000 oak and chestnut ties have been put in this season. On the Pochuck branch the ties are not in as good condition. This road is used chiefly as a switching track; it has bad grades and curves and the greater part of it is of little use. The question of abandoning the greater portion of this line for a low grade road has been advocated and in the opinion of your inspector would be a sensible move. If the road is to be continued in operation, cross-tie renewals should be made.

The main line is laid with 60-lb. steel rail, connected by angle plates 24 in. in length with 4 bolts. The rail is in fair condition, with connections full bolted; a few loose bolts were observed. The Pochuck railroad is laid with mixed 56- and 60-lb. rail, connected by angle plates 24 in. in length and Fish plates 22 in. in length with 4 bolts; connections full bolted and bolts generally tight. In the main line track it is necessary to maintain a number of "points" on account of rail creeping.

The main-track switches are split point and have automatic stands. The switch targets are in fair condition. Switch lamps have been ordered and will be put on stands as soon as received. Frogs are rigid. Derailing switches are in sidings where their use appears necessary, and sign-posts are located at each derail to call attention to same.

The main line is ballasted with gravel and cinders; on the Pochuck branch there is very little ballast. The alignment and surfacing of the main track are fair, except over that portion of the road which is located in the low, muck meadow, where the alignment and surfacing are poor. The rail is kinked and the movement of every train over it disturbs the line and surface. As before noted in this report, a large amount of cinder filling has been put in to raise the track up through this low land. The work is still going on, and until the embankment is more stable the alignment and surfacing must necessarily be poor. The Pochuck branch has poor alignment and surfacing, but as it is used chiefly as a switching track it is in fair condition for that purpose.

The section force consists of a foreman and 6 laborers, and they are furnished with flags and torpedoes for protecting their work, and all portions of the track are patrolled daily by some member of the section force.

The right of way is free from trees and brush. The main line runs for much of its length through a meadow or marsh, and most of this land is under cultivation, in onions. Right of way fences are not required along this portion of the road on that account. The Pochuck road is used so little that fences are hardly required. Some fencing is lacking and some in poor repair. Mile-posts are not maintained.

The highway crossings are fairly well graded, planking in good condition, and are protected by signs of the X form. Cattle guards are not maintained. Whistle-posts are properly located.

The movements of trains are governed by the telegraphic train order system. There are no station buildings owned by the company in this State.

Recommendations: That the work of raising and strengthening the embankment on that portion of the road located in the low, marshy meadow be continued, to the end that the alignment and surfacing of track can be kept in better condition, and to overcome as much as possible the tendency of rails to creep and the consequent necessity of keeping "points" in the track. If the Pochuck railroad is to be kept in operation, tie renewals should be made and sufficient ballast put in to allow track forces to make an improvement in alignment and surfacing. Repairs should be made to the masonry of the open culvert on this branch and guard timbers be placed on those structures which are now without them.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

LEHIGH VALLEY RAILROAD.

Inspected November 20-25, 1908. Last previous inspection August 6-11, 1908.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Lehigh Valley railroad in this State, and respectfully submit the following report:

All that portion of the line in this State, formerly known as the Pennsylvania division, is now embraced in the Buffalo division. It covered the main line from Sayre to Manchester, and the Waverly, Ithaca, Naples, Seneca Falls, and Willard branches. The Buffalo division main line extends from the Pennsylvania-State line near Sayre to Buffalo, all double track, and has the following branch lines: the Waverly branch is a single-track line extending from a connection with the Erie railroad at Waverly to Sayre; the Ithaca branch connects with the main line at Van Etten Junction and extends to another connection with the main line at Geneva Junction; the Naples branch connects with the main line at Geneva and extends to Naples; the Seneca Falls branch connects with the Ithaca branch at Geneva Junction and extends to Seneca Falls; the Willard branch connects with the Ithaca branch at Hayt's Corners and extends to Willard; the Rochester branch extends from Rochester to Hemlock Lake, crossing the main line at Rochester Junction: a spur track, 0.40 mile in length, extends from this line into the village of Honeoye Falls; the Niagara Falls branch connects with the main line at Depew Junction and extends to Tonawanda Junction on the Tonawanda-Canandaigua branch of the New York Central & Hudson River railroad; the Lehigh & Lake Erie railroad is a freight line extending from a junction with the main line near Sloan to a junction with the Buffalo Creek railroad at Tifft farm. The Auburn division is made up of the following named lines of single-track railroad: Lehigh & New York branch, which extends from a connection with the main line at Sayre to North Fair Haven on Lake Ontario; the Auburn & Ithaca branch, which connects with the Lehigh & New York branch at Auburn and extends to Ithaca on the Ithaca branch; the Cayuga branch, which extends from a connection with the Auburn & Ithaca branch at Cayuga Junction to Cayuga; the Elmira & Cortland branch, which extends from a

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connection with the R. W. & O. division of the New York Central & Hudson River railroad at Camden to Elmira.

Division or Branch.	Length of track, in miles.			
	First track.	Second track.	Sidings and yard tracks.	Total.
Buffalo Division:				
Main Line.....	175.16	175.16	149.30	499.62
Waverly Branch.....	0.41	1.03	1.42	1.83
Ithaca Branch.....	59.49	1.03	18.06	78.58
Naples Branch.....	29.43	.....	4.11	33.54
Seneca Falls Branch.....	8.20	.....	2.37	10.57
Willard Branch.....	3.82	.....	0.30	4.12
Rochester Branch.....	28.70	.....	10.45	39.15
Rochester Hemlock Spur.....	0.40	.....	.....	0.40
Niagara Falls Branch.....	10.56	10.39	1.95	22.90
Lehigh & Lake Erie.....	10.93	10.93	41.58	63.44
Auburn Division:				
Lehigh & New York Branch.....	115.37	.....	33.20	148.57
Auburn & Ithaca Branch.....	42.46	.....	10.14	52.60
Cayuga Branch.....	3.92	.....	1.14	5.06
Elmira & Cortland Branch.....	130.14	.....	33.87	173.01
Total.....	627.99	197.51	307.89	1,133.39

The maximum curves and location; and maximum grades, length of and location, are as follows:

Division or Branch.	Maxi- mum degree of curve.	Location.	Maxi- mum grade ft., per mile.	Length, in miles.	Location.
Buffalo Division:					
Main Line.....	8°	Buffalo.....	65.47	0.14	Buffalo.
Waverly Branch...	4°	West of State line.	35.3	0.17	State line.
Ithaca Branch.....	8°	East of West Danby.	101.9	0.23	East of Newfield.
Naples Branch ...	9° 17'	Geneva.....	105.6	0.81	East of Naples.
Seneca Falls Br....	8° 30'	Geneva Jct.....	52.8	0.28	Waterloo.
Willard Branch....	10°	Hayt's Corners & west of Ovid.	106.0	0.40	East of Willard.
Rochester Branch..	6°	East and west of Rochester Jct.	79.2	0.20	East of Rochester.
Niagara Falls Br..	12° 40'	Niagara Jct.....	52.8	1.00	West of Williams- ville.
Lehigh & Lake Erie	10° 25'	Buffalo Creek connection.	31.44	0.26	Ridge Road, West Seneca.
Auburn Division:					
Lehigh & N. Y. Br.	10°	East of Auburn Pass Sta.	57.0	0.76	West of Auburn.
Auburn & Ithaca Branch.	15°	Ithaca Junction (Auburn).	72.86	1.20	East of Oakwood.
Cayuga Branch....	6°	Cayuga Jct.....	23.8	0.19	East of Cayuga.
Elmira & Cortland Branch.	19° 30'	West of Cazenovia	125.7	2.69	East of Swartwood.

Buffalo Division.

The general alignment of the main line is first class, the maximum curve outside of Buffalo (where there is an 8 degree) is 4 degrees; the maximum grade, aside from the 65 ft. per mile for a short distance in Buffalo, is 25.4 ft. per mile. On the Ithaca branch the line is crooked and has many curves, the maximum being 8 degrees. The Naples branch is quite crooked for a portion of its length, with the maximum curve 9 degrees 17 minutes. The maximum curve of the Seneca Falls branch, which is principally a freight line, is 8 degrees 30 minutes, and the Willard branch is 10 degrees. The general alignment of the Rochester branch, Niagara Falls branch, and the Lehigh & Lake Erie, is very good. The main line, Waverly branch, Willard branch, Niagara Falls branch, and the Lehigh & Lake Erie are well graded and properly drained. The Ithaca branch has a few cuts at south end of line that are in material of a clay or quicksand nature, and which washes down into ditches. The Naples branch is for a portion of its length located in a swamp, the embankments are low, and the track necessarily in

poor condition. On the Seneca Falls branch there are some cuts through material that slides and washes down the slope, filling the ditches. The same is true of a few cuts on the Rochester branch. Sub-drains are used on all the lines in wet cuts.

The steel and iron bridges of the main line are in first-class condition and calculated to carry with proper factor of safety the heaviest motive power and rolling stock used. The light bridges between Buffalo station and East Buffalo, which at time of former inspection limited the use of power between those points, have been replaced with bridges of the same character as the balance of the line. The bridges are generally well painted, the ties and guard timbers are standard and in excellent repair. Inside guard rails are maintained. All masonry is in good condition. There are no bridges on the Waverly branch. On the Ithaca branch the bridges are all in good condition, and masonry is good; ties and guard timbers standard and in good condition and inside guard rails maintained. On the Naples branch there are but 3 iron bridges and they are supported on pile or framed bents, and 2 of them are blocked on pile bents so as to make renewals; the ties and guard timbers are standard and in good condition and inside guard rails are maintained. There are no bridges on the Willard branch. On the Seneca Falls branch there is 1 span of iron girder on pile bents in connection with a pile trestle of 9 spans; it is in fair condition, with standard ties and guard timbers and has inside guard rail. On the Rochester branch the few iron bridges south of Rochester Junction are lighter than main-line bridges, but are sufficiently strong for the class of motive power and rolling stock used; between Rochester Junction and Rochester the bridges are of the same class as main-line bridges; most of the bridges have good masonry, a very few are erected on framed bents which are properly maintained. The iron bridges on the Niagara Falls branch and the Lehigh & Lake Erie are of the same class and in the same condition as those on the main line.

There are no wooden bridges in the roadway of any of the lines. The only wooden bridges are the overhead bridges for highway and farm crossings, for which purpose iron bridges are also used, and all that are less than 21 ft. above the track are protected by warning signals. There are no timber trestles in the roadway of the main line, Waverly branch, Ithaca branch, Willard branch, Niagara Falls branch, or Lehigh & Lake Erie branch. On the Naples branch there are 18 pile or framed bent trestles, most of them of 2 to 4 spans and none of them long; they are of standard construction and in fair condition. On the Seneca Falls branch there are 5 pile or framed bent trestles; they are of standard construction and in fair condition. On the Rochester branch, between Rochester Junction and Hemlock Lake, there are 7 framed bent trestles: one of 38 spans with a deck plate girder span at the center, and which is to be replaced with a new structure; and another of 12 spans, where they intend to build an arch and fill with embankment. All the trestles are in fair condition and of standard construction. The open culverts and cattle passes of the main line, Waverly branch, Ithaca branch, Niagara Falls branch, and Lehigh & Lake Erie have good masonry, I-beam or plate girder stringers, standard ties and guard timbers well maintained. On the Naples branch all are constructed entirely of timber. On the Seneca Falls branch, Rochester branch, and Willard branch some are constructed entirely of timber; they have standard ties and guard timbers and all are in fair condition. The arch, box, and pipe culverts are apparently in good condition.

The cross-ties in use are as follows:

Division or branch.	Dimensions face in. length ft.	Y. pine.	Oak.	Chest- nut.	Cedar.	Kind of timber, per cent.		No. per mile.	Per cent renewed.
Main line	7 x 9	8 1/4	95	5	.....	.....	.....	2816	11
Waverly	6 x 7	8	80	20	.....	.....	.....	2816	10
Ithaca	7 x 9	8	90	10	.....	.....	.....	2816	6
Naples	6 x 7	8	20	.....	20	60	.....	2816	10
Seneca Falls	6 x 7	8	40	10	.....	50	.....	2816	6
Willard	6 x 7	8	15	10	.....	75	.....	2816	6
Rochester	6 x 9	8	34	19	.....	47	.....	2816	20
Niagara Falls.	7 x 9	8 1/4	100	.....	.....	.....	.....	2816	20
Lehigh & L. E.	7 x 9	8 1/4	100	.....	.....	.....	.....	2816	0

The cross-ties on main line, Waverly branch, Rochester branch, Niagara Falls branch, and Lehigh & Lake Erie are in first-class condition; on the Ithaca branch in good condition; on the Naples branch, Seneca Falls branch, and Willard branch in fair condition; they are well spaced and full spiked.

The rails laid are as follows:

Division or branch.	Length of main track, in miles, laid with 90-lb. 80-lb. 76-lb. 60-lb. 58-lb.	Total.
Main line	843.44	350.32
Waverly	0.41	0.41
Ithaca	7.40	60.52
Naples	53.12	29.43
Seneca Falls	8.20	8.20
Willard	29.43	8.82
Rochester	15.70	29.10
Niagara Falls	20.95	20.95
Lehigh & L. E.	17.26	21.86
Total	389.05	524.61
	88.91	13.40

The 90-lb. rails are connected by angle plates 28 in. in length with 6 bolts; the 80-lb. and 76-lb. rails by angle plates 30 in. in length with 6 bolts; 60-lb. and 58-lb. rails by angle plates 24 in. in length with 4 bolts. The 90-lb. rail on main line and branch lines is in good condition; the 80-lb. rail on main line is somewhat worn, on branch lines it is in fair condition; the 76-lb. rail on Rochester branch is considerably worn and bent; the 60-lb. rail on Naples branch is in fair condition; the 58-lb. rail on Willard branch is much worn and many loose bolts observed; otherwise all connections had tight bolts and were full bolted.

All main-track switches are split point and have rigid stands with well painted targets. All main-line switches are protected by the electrical automatic block signal system; those of the Ithaca branch by home and distant semaphore signals interlocked with the switch stands. Switch and semaphore lamps show red light for danger, white for safety; green is used for caution. The main tracks of the main line, and nearly all branch-line main tracks, have spring rail frogs. Derailing switches are in all sidings where their use appears necessary, and have stands with proper targets.

The main-line tracks and also Niagara Falls branch tracks are well ballasted with broken stone; nearly all of the Ithaca branch has broken stone ballast in good quantity; the Waverly branch is ballasted with gravel and cinders; the Naples branch with gravel, cinders, and a small amount of broken stone; the Seneca Falls and Willard branches lightly ballasted with gravel and cinders; the Rochester branch with stone ballast of small size in good quantity, and the Lehigh & Lake Erie with slag. The alignment and surfacing of the main-line tracks, and the tracks of the Ithaca, Niagara Falls, and Lehigh & Lake Erie branches are first class; of the Rochester and Waverly branches good; of the Seneca Falls, Naples, and Willard branches, fair.

The sections and section force employed are as follows:

Division or branch.	Average length of sections, in miles.	Average force Foremen. Laborers.
Main line	4 miles double track.....	1 6
Waverly	under Sayre yard gang.....	0 0
Ithaca	5 miles single track.....	1 5
Naples	7½ miles single track.....	1 4
Seneca Falls	8.2 miles (one section).....	1 5
Willard	3.8 miles (one section).....	1 3
Rochester	6.0 miles single track.....	1 5
Niagara Falls	4.0 miles double track.....	1 6
Lehigh & L. E.	4.0 miles double track.....	1 6

Each gang is furnished with flags and lanterns for protecting its work, and all portions of the road are patrolled daily by some member of the section force.

The main line crosses the following steam and electric railroads at grade: Rochester Junction, 1 track of the Rochester branch is crossed at grade and crossing is protected by a modern interlocking plant; Pittsburgh and Lehigh Junction, 1 track of the Buffalo, Rochester & Pittsburgh railway: the crossing is protected by a modern interlocking plant; Buffalo, at Scott street, 4 freight

tracks of the Ohio Street branch of the New York Central & Hudson River railroad: the crossing is protected by signals located on a tower and all trains are required to come to a full stop before crossing; Cheektowaga, 1 track of the Buffalo, Bellevue & Lancaster railway (electric): there are derails in the track of the electric railway and trough protection over the trolley wire; Chicago street, Buffalo, 2 tracks of the International railway (electric): there are derailing switches in the track of the electric railway and trough protection over the trolley wire. The Ithaca branch crosses 1 track of the Elmira & Cortland division at Van Etten: the crossing is protected by interlocked semaphore signals. The Naples branch crosses the main track and 2 sidings of the Northern Central railway at Stanley: the crossing is protected by an interlocking plant the signals of which are set normally in clear position for Northern Central railway; the Lehigh Valley employees operate for their own movements over the crossing; there are derailing switches in the Naples branch track but none in the Northern Central railway tracks; all Lehigh Valley trains come to a full stop before crossing; Northern Central trains do not if signals are in their favor; the crossing-frogs in main track are in poor condition and should be renewed. The Rochester branch crosses the following railroads at grade: At Mortimer, 2 tracks of the West Shore railroad (operated by the N. Y. C. & H. R. R. Co.): the crossing is protected by gates and all trains are required to come to a full stop before crossing; at Rochester Junction, crossing of main line noted above. The Niagara Falls branch has no grade crossings of steam or electric railroads. On the Lehigh & Lake Erie a spur track connecting the Terminal railway of Buffalo (operated by the N. Y. C. & H. R. R. Co.) and the Buffalo, Rochester & Pittsburgh railroad is crossed at grade, but the spur is not in service, and I was informed had never been used; it is not protected in any way.

Interlocking plants are maintained on the main line as follows: At State Line, governing entrance to Sayre yard; Van Etten Junction, governing Ithaca branch connection and main line movements; Geneva Junction, governing Ithaca branch and Seneca Falls branch connections and main line movements; at Manchester yard; at Rochester Junction, governing crossing and junction of the Rochester branch; at P. & L. Junction, governing crossing and junction of the Buffalo, Rochester & Pittsburgh railway; at Niagara Junction, governing junction of the Niagara Falls branch; at Harlem avenue, Sloan, governing junction of the Lehigh & Lake Erie branch.

The right of way of all the lines is clean and clear, free from trees, brush, and rubbish. The fences are of wire and generally in fair repair. Mile-posts are maintained.

There are 341 highway crossings, protected as follows:

Division or branch.	Flagmen and gates.	Flagman.	Electric bells.	Crossing signs.	Total.
Main line	11	17	5	126	159
Waverly				0	0
Ithaca	1	1	8	84	89
Naples . . . . .	..	..	..	33	33
Seneca Falls . . . . .	..	..	..	11	11
Willard . . . . .	..	..	..	2	2
Rochester . . . . .	..	2	..	27	29
Niagara Falls . . . . .	..	..	..	14	14
Lehigh & L. E. . . . .	..	..	..	4	4
Total	12	20	8	301	341

The highway crossings are well graded, properly planked, and are protected by signs of the diamond or triangular form. Wooden- or metallic-slat cattle guards are generally maintained at crossings. Whistle-posts are properly located.

The movements of trains on the main line and on the Niagara Falls and Lehigh & Lake Erie branches are governed by automatic electric block signals; on the other branch lines, by the telegraphic train order system.

The station buildings are in good repair, waiting rooms clean and neat. Water for drinking is provided, and time-tables posted in the waiting rooms. Station platforms are of gravel, stone screenings, and concrete. A few plank platforms are yet maintained. The station grounds are well kept, and at the

more important stations are lawns with shrubs and ornamental plants and flowers.

The following are the principal repairs and improvements made since last inspection: Main line: 11 per cent. of cross-ties have been renewed; 88 miles of 90-lb. steel rail have been laid, replacing worn 80- and 90-lb. rail; bridges Nos. 447, over Clark and Skinner canal, and 446 H, over Ohio slip, Buffalo, have been removed, and slips filled in; 16 bridges over streets and railroads in Buffalo have been replaced with bridges sufficiently strong to carry with proper factor of safety all classes of motive power and rolling stock, and the masonry at these bridges has been extensively repaired; 35 bridges have been re-painted; 32 miles of fence rebuilt; ice house at Louisiana street, Buffalo, enlarged; station at Depew moved to transit road enlarged, and platform and canopies built; Rochester Junction, Buffalo, Manchester, Mendon, Victor, Farmington, and East Buffalo stations, Buffalo train shed, and Rochester freight house, were re-painted; a new coaling trestle was built at East Buffalo to replace one destroyed by fire. Waverly branch: 10 per cent. of cross-ties renewed. Ithaca branch: 6 per cent. of cross-ties renewed; 6.04 miles of 90-lb. steel rail were laid, replacing worn 80-lb.; 26½ miles re-ballasted with No. 4 broken stone; 10 miles of fence rebuilt and 15 miles repaired; 2 bridges and the Ithaca freight house re-painted. Naples branch: 10 per cent. of cross-ties renewed; 14 miles of track re-ballasted with cinders, and 7½ miles with broken stone; Naples station building re-painted. Seneca Falls branch: 6 per cent. of cross-ties renewed; 2 openings with wooden stringers replaced with I-beams and concrete abutments; and Seneca Falls station re-painted. Willard branch: 6 per cent. of cross-ties renewed. Rochester branch: 20 per cent. of cross-ties renewed; 8 miles of track re-ballasted with No. 1 broken stone; 2 open culverts over Rochester city water pipe replaced with solid floor bridges, I-beams and concrete; 3 bridges re-painted; and stations at Henrietta, Mortimer, and Hemlock re-painted; station at Hemlock enlarged and freight room added; freight delivery yard at Rochester enlarged. Niagara Falls branch: 20 per cent. of cross-ties renewed; 12.36 miles of 90-lb. L. V. section steel rail replaced with 90-lb. A section rail; automatic signals extended over 8 miles; and 9 bridges repainted. Lehigh & Lake Erie branch: Overhead wooden bridge at Ridge road replaced with a through truss steel bridge; coal shipping trestle at Tifft farm 60 per cent. renewed. The L. & L. E. was extended 9 miles during the years 1906, 1907, and operation over the full distance commenced November 9, 1907. In connection with this operation a shifting yard was built at Tifft farm, comprising 15 miles of track; also a connection was made with the Lake freight houses, ore, and coal docks, comprising 1.82 miles of track; a round-house of 10 stalls, with turntable, also coaling and water facilities have been constructed for turning of power at the end of the line.

Recommendations: That ditches be opened on the Ithaca and Seneca Falls branches where necessary; that necessary renewal of rail be made on the Rochester branch; and repairs made to fences where necessary.

Auburn Division.

All the roads comprised in this division are crooked, and there are many sharp curves. The grades are steep and somewhat broken, those on the Auburn & Ithaca being less so than the others as for a portion of its length the track is along the shore of the lake. The Lehigh & New York branch has cuts and embankments of good width and drainage is fair; on the northern portion of the line there is much marshy ground. The Auburn & Ithaca branch, which extends for a considerable portion of its length along the shore of Cayuga lake, has many side cuts through loose rock; this rock disintegrates, and in time of storm washes down into ditches; this portion of the road is carefully watched and patrolled. The balance of the road has cuts and embankments of fair width and ditches in generally good condition. The Elmira & Cortland branch has cuts and embankments of good width; a few cuts however are narrow and would be improved by widening.

The iron bridges are generally in good repair and are well painted. Bridge ties and guard timbers are standard and well maintained. Inside guard rails

are on all long and high structures. On the Lehigh & New York branch stronger bridges have been put in to replace lighter ones, and this work is being continued. On the Auburn & Ithaca branch the bridges have good masonry and are in good condition. On the Cayuga branch there are no large bridges. On the Elmira & Cortland branch there are a number of light bridges; they are however in good condition and of sufficient strength for the class of motive power and rolling stock used.

There are no wooden bridges in the roadway of any of the lines: the only wooden bridges are overhead highway and farm crossing bridges; they are in good condition and all less than 21 ft. above the track are protected by warning signals. There are a number of timber trestles on the Lehigh & New York branch, the longest having 7 spans; the trestle structures are generally old but are in fair condition and are of standard construction. On the Auburn & Ithaca branch there are 6 pile or framed bent trestles, the longest having 6 spans; they are of standard construction and are in good condition. On the Cayuga branch there is 1 trestle of 7 spans, which while old is in fair condition. On the Elmira & Cortland branch there are a large number of pile and framed bent trestles; some of them are old but are in fair general condition. The longest trestle is of 22 spans. On the Lehigh & New York branch over 50 open culverts and cattle passes have I-beam or plate girder stringers on pile or framed bent abutments, about 15 have I-beam or plate girder stringers and masonry abutments, while a dozen or less are constructed entirely of timber; they are all in fair condition and have standard ties and guard timbers. On the Auburn & Ithaca branch all open culverts and cattle passes, with one exception, have I-beam or plate girder stringers and masonry abutments, all in first-class condition; 1 open culvert has I-beams on timber bents, but will have masonry abutments later; all have standard ties and guard timbers, in good condition; many open culverts have been replaced with concrete top structures. The Cayuga branch has 7 small open culverts or cattle passes, all with I-beam stringers, and all, except one supported on pile bents, have masonry abutments in fair condition. On the Elmira & Cortland branch there are very few open culverts or cattle passes with masonry abutments; nearly all have pile or framed bent abutments; there are a number with I-beam or plate girder stringers, a few with T-trail stringers, but the greater portion have wooden stringers; all are in fair condition. The arch, box, and pipe culverts are apparently in good condition.

The cross-ties in use are as follows:

Division or branch.	Dimensions			per cent	No. miles.	Per cent renewed
	face, in.	length, ft.	Kind of timber, Y. Pine. Oak. Chestnut. Cedar.			
Lehigh & New York.....	6 x 8	8	50 41	16 26	24 14	10 19
Auburn & Ithaca.....	6 x 8	8	" 41	" 26	" 14	19
Cayuga.....	6 x 8	8	" 41	" 26	" 14	19
Elmira & Cortland.....	6 x 8	8	33	7	20	40
						2460 30

The cross-ties are fairly well spaced, are full spiked, and in sound condition.

The rails laid are as follows:

Division or branch.	Length of main track, in miles, laid with					
	80-lb.	76-lb.	70-lb.	67-lb.	66-lb.	60-lb.
Lehigh & New York..	62.10	18.92	2.00	4.25	0.45	20.70
Auburn & Ithaca....	10.40	.....	.....	.....	.....	1.00
Cayuga.....	.....	.....	.....	.....	.....	3.92
Elmira & Cortland...	27.97	6.16	3.25	8.57	.....	2.06
Total	100.47	25.08	5.25	12.82	0.45	23.76
						133.06

The 80-lb. and 76-lb. rails are connected by angle plates 30 in. in length with 6 bolts; the 70-lb., 67-lb., 66-lb., 60-lb., and 58-lb. rails are connected by angle plates 24 in. in length with 4 bolts. The 80- and 76-lb. rails are in good condition; the lighter rails are considerably worn and are being replaced when necessary.

All main-track switches are split point; both rigid and automatic stands are in use and have proper targets. Switch and semaphore lamps show red light for danger and white for safety; green is used for caution. On the Lehigh & New York and the Auburn & Utica branches most main-track frogs

are spring rail; on the Elmira & Cortland and the Cayuga branches the greater proportion of frogs are rigid. Derailing switches are in all sidings where their use appears necessary, and the stands have proper targets.

The Lehigh & New York, Auburn & Ithaca, and Elmira & Cortland branches are ballasted with gravel and cinders in fair quantity; the Cayuga branch with cinders in light quantity. The alignment and surfacing of the branches are fair except on Cayuga branch, which is poor; this branch however is but little used and principally for freight purposes.

On the Lehigh & New York and Elmira & Cortland branches the average length of sections is 7 miles single track, with an average section force of a foreman and 4 laborers; on the Auburn & Ithaca and Cayuga branches the average length of sections is $7\frac{1}{2}$ miles of single track, with an average section force of a foreman and 4 laborers. Each gang is furnished with flags and lanterns for protecting its work, and all portions of the road are patrolled daily by some member of the section force; 4 regular watchmen are employed on the Auburn & Ithaca branch and 4 on the Elmira & Cortland branch.

The Lehigh & New York branch crosses the following steam and electric railroads at grade: Owego, 1 track of the Ithaca branch of the Delaware, Lackawanna & Western railroad: the crossing is protected by a semaphore signal and all trains are required to come to a full stop before crossing; at Freeville, 1 track of the Elmira & Cortland branch: the crossing is protected by a semaphore signal and all trains are required to come to a full stop before crossing; at Auburn, 1 track of the Auburn branch of the N. Y. C. & H. R. R.: protected by a modern interlocking plant; at Auburn, 1 track of the Auburn City railway (electric): there are no derailing switches in the track of the electric railway; there is a trough over trolley wire, but it is in poor condition; at Sterling Junction, 1 track of the R., W. & O. division of the N. Y. C. & H. R. R.: the crossing is protected by a tilting board signal and all trains are required to come to a full stop before crossing. The Auburn & Ithaca branch crosses the following at grade: 1 track of the Ithaca street railway (electric) near Ithaca: there are no derails in the track of the electric railway; a trough protection is over trolley wire; in Ithaca, another branch of the same street railway is crossed: there are no derails in the track of the electric railway; there is a trough protection over the trolley wire; at Ithaca, 1 track of the Ithaca branch of the D., L. & W. R. R.: the crossing is protected by a target signal and all trains are required to come to a full stop. The Elmira & Cortland branch crosses at grade the following railroads: at Sylvan Junction, the Elmira & Cortland branch crosses the Ontario & Western track by means of switches, the Lehigh Valley trains running upon the track of the N. Y., O. & W. Ry. for a distance of about 600 ft., then branching off upon the opposite side; the movement is protected by a modern interlocking plant; at Canastota, 2 tracks of the West Shore railroad: the crossing is protected by a modern interlocking plant; at Rippleton, 1 track of the Chenango branch of the West Shore railroad: the crossing is protected by a target signal and all trains are required to come to a full stop before crossing; at Cortland Junction, 1 track of the S. B. & N. Y. branch of the D., L. & W. R. R.: the crossing is protected by a modern interlocking plant; at Caroline Junction, 1 track of the Ithaca branch of the D., L. & W. R. R.: the crossing is protected by a target signal and all trains are required to come to a full stop before crossing; at Van Etten Junction, 1 track of the Ithaca branch of the Buffalo division: the crossing is protected by an interlocking plant; at Elmira, 2 tracks and 2 sidings of the main line of the D., L. & W. R. R.: the crossing is protected by an interlocking plant; at Elmira, 1 branch track connecting the D., L. & W. and the Erie railroads: the crossing is protected by a target signal and all trains are required to come to a full stop before crossing; at Elmira, 1 track of the D., L. & W. R. R. leading to the D., L. & W. freight house: the crossing is protected by target signal and all trains come to a full stop before crossing; at Cortland, 1 track of the Cortland & Homer Traction Company's electric railway: there are derailing switches in the track of the electric railway, but no trough protection over the trolley wire; at Horseheads, 1 track of the Elmira Water, Light & Railroad Company's electric

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railway: there are derailing switches in the track of the electric railway, but no protection over the trolley wire; another track of the same company's electric railway is crossed near Elmira: there are derailing switches in the track of the electric railway, but no protection over the trolley wire.

The only interlocking plants maintained are at the grade crossing of the Ithaca branch at Van Etten Junction, at the grade crossing of the D., L. & W. R. R. at Cortland Junction, and at the grade crossing of the West Shore railroad at Canastota.

The right of way is clear and clean, free from trees and brush. The fences are of wire and are generally in good repair.

The highway crossings are well graded, properly planked, and are protected by signs of the diamond or triangular form. Cattle guards are of the wooden-slat or metallic-slat form. On the Lehigh & New York branch 11 crossings are protected by flagmen and gates, 3 by electric bells, and 116 by crossing-signs only; on the Auburn & Ithaca branch 1 by electric bell and 29 by crossing-signs only; on the Cayuga branch 1 by crossing-sign; and on the Elmira & Cortland 6 by flagmen and gates, 2 by electric bells, and 163 by crossing-signs only. Whistle-posts are properly located.

The movements of trains are governed by the telegraphic train order system.

The station buildings are neat and clean and in fair repair, and while many are small they are apparently sufficient for the requirements.

The principal repairs and improvements made since last inspection (August, 1906) are as follows: On the Lehigh & New York branch 30 per cent. of the cross-ties have been renewed; 14.06 miles of 80-lb., 0.13 mile of 76-lb., 0.15 mile of 70-lb., and 0.44 mile of 66-lb. steel rail have been laid, replacing 7.76 miles of worn 60-lb., 6.05 miles of worn 58-lb., and 0.97 mile of worn 67-lb. steel rails; 8½ miles of track have been ballasted with gravel and 0.7 mile with cinders; 3 timber trestles have been replaced with iron girders; a light deck plate girder has been replaced with a heavier one; 9 openings with wooden stringers have been replaced with I-beam stringers; 1 open culvert has been rebuilt; masonry has been rebuilt at three bridges; 47 bridges have been re-painted; 3 miles of fence built and 22 miles repaired. On the Auburn & Ithaca branch 30 per cent. of the cross-ties renewed; 8.72 miles of 80-lb. steel rail laid, replacing a like amount of worn 58-lb. rail; 2½ miles of track re-ballasted with gravel and 8 miles with cinders; 3 girder bridges replaced with heavier girders; 49 open culverts and cattle passes rebuilt, most of them made solid floor structures; masonry rebuilt at 3 bridges; 8 bridges re-painted; 8 miles of fence built and 27 miles repaired; passing sidings at Cayuga Junction and at Oakwood extended 0.35 mile each. On the Elmira & Cortland 30 per cent. of the cross-ties renewed; 15.49 miles of 80-lb., 0.40 mile of 76-lb., 0.39 mile of 70-lb., 2.53 miles of 67-lb., and 0.25 mile of 60-lb. steel rail were laid, replacing 1.32 miles of worn 60-lb., 16.16 miles of 56-lb., and 1.58 miles of 67-lb. rail; 0.28 mile of track has been ballasted with broken stone, 11.07 miles with cinders, and 12 miles with gravel; 1 timber trestle has been replaced with a plate girder; 2 trestles have been rebuilt, and several I-beam and girder bridges have been strengthened; 49 open culverts and cattle passes have been rebuilt; 4 have been repaired; 9 bridges have been re-painted; 5 miles of fence rebuilt and 25 miles repaired.

Recommendations: That ditches be cleaned where necessary, and that repairs be made to cattle guards and fences.

Respectfully submitted,
E. F. VAN HOESSEN,
Steam Railroad Inspector.

LITTLE FALLS AND DOLGEVILLE RAILROAD.

Inspected September 18, 1908. Last previous inspection July 19, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Little Falls & Dolgeville railroad, and respectfully submit the following report:

The Little Falls & Dolgeville railroad is a single-track standard-gauge road

extending from a connection with the main line of the New York Central & Hudson River railroad at Little Falls to Dolgeville, a distance of 10.32 miles, with about one mile of siding and yard tracks. The Dolgeville & Salisbury railway, leased and operated by the Little Falls & Dolgeville Railroad Company, extends from a connection with the Little Falls & Dolgeville railroad at Dolgeville, in a northerly direction through Salisbury Center to an iron mine which is being developed at Ironton, a distance of 3.65 miles, with about three-quarters of a mile of siding and yard tracks. This extension was constructed during the years 1906 and 1907. The Little Falls & Dolgeville railroad is quite crooked, with maximum curves of 9 degrees. The grades are long and steep, with maximum of 110 ft. per mile about 6 miles north of Little Falls. The Dolgeville & Salisbury railway has maximum curve of 8 degrees and a maximum grade of 105 ft. per mile. The railway is generally well graded and well drained. There is one cut near the summit through a clay and quicksand material which slides during wet weather. On the Dolgeville & Salisbury railway the embankments are full width; the cuts are fair width, but two of them are through material of a clay and quicksand nature which slides more or less, filling the ditches; these ditches should be cleaned.

The steel and iron bridges are in fair condition, and while light are sufficiently strong for the class of motive power and rolling stock used; there are 2 bridges and 2 viaducts. At the viaduct over Ransom Creek, 2 foundation piers which are on the banks of the stream are apparently in danger of being undermined, and should be reinforced with good concrete; some concrete was put in a few years ago, but it is of poor quality and there is not enough of it to give proper protection. On the Dolgeville & Salisbury railway there is one bridge, a plate girder, with first-class concrete abutments and standard deck.

There are 8 points on the line where there are timber trestles: at 3 of the points the trestles are the approaches to iron structures; of the 5 remaining trestles, 2 are quite high and are 344 ft. and 438 ft. in length; these trestles were originally constructed of hemlock; they have been extensively repaired and patched, much of the renewal timber being pine. Since last inspection, in 1906, about 150,000 feet of timber, mostly yellow pine, have been used in repairs and renewals of wooden structures, the greater portion of it in the trestles. While they are safe for the present, they will need additional renewals within the next year or two. There are no timber trestles on the Dolgeville & Salisbury railway. There are 14 open cattle passes and 1 small open culvert on the Little Falls & Dolgeville railroad: the open culvert has masonry walls and wooden stringers; the cattle passes are constructed of timber, with framed bents, planked, for abutments, and wooden stringers; all but one of the structures have had new abutments the past season, a few have had new stringers, ties, and guard timbers; the intention is to renew all old stringers, ties, and guard timbers the present season. There are no open culverts or cattle passes on the Dolgeville & Salisbury railway. There is 1 arch culvert of 7-ft. span at Beaver Brook on main line: this culvert was damaged by a cloudburst the past summer; repairs were being made at the time of inspection and the culvert was being put in first-class condition. On the Dolgeville & Salisbury railway there are 2 concrete arch cattle passes and 1 concrete arch culvert, all 8-ft. span, and all in good condition. The box and pipe culverts on the main line and extension are apparently in good condition. The cross-ties are mixed cedar, pine, and oak on main line, and are laid at the rate of about 2816 to the mile of track; on the Dolgeville & Salisbury railway, cedar and pine in about equal proportions. The cross-ties on main line are in fair condition, about 3700 having been renewed since last inspection.

On main line the rail is 60-lb. steel, in fair condition for light traffic and moderate speed maintained, and connected by angle plates 24 in. in length with 4 bolts; all connections are full bolted and no loose bolts were observed.

On the Dolgeville & Salisbury railway the rail is second-use 67-lb. rail, connected by angle plates 36 in. in length with 6 holes, but only 4 bolts used; otherwise the connections are full bolted, and bolts generally tight.

All main-track switches are split point and have rigid stands with proper targets. Switch lamps are not maintained. Spring rail frogs are used in main

track. The main line is lightly ballasted with broken stone, gravel, and cinders; the Dolgeville & Salisbury railway is lightly ballasted with gravel. The alignment and surfacing of track are good.

There are 2 sections of about equal length for the Little Falls & Dolgeville and the Dolgeville & Salisbury roads combined, with section force of a foreman and 7 laborers each. Section gangs are provided with flags and torpedoes, and all portions of the road are patrolled regularly by some member of the section force.

There are no grade crossings of either steam or electric railroads.

The right of way is free from trees and brush. Fences are of wire, and in fair condition on the Little Falls & Dolgeville railroad. Highway crossings are properly graded and planked and are protected by signs of the diamond form. Wooden- or metallic-slat cattle guards are in place at each boundary of all highways crossed at grade, and have proper guard fences. On the Dolgeville & Salisbury railway the land adjoining the railroad on the northern portion of the road is owned by the Salisbury Steel & Iron Company, and fences are not maintained on that portion, nor are there any cattle guards at the highway crossings; fences are maintained on the southern end of the road. Highway crossings are properly graded and planked and are protected by signs of X form. No whistle-posts are maintained.

The movements of trains on the Little Falls & Dolgeville railroad are governed by the telegraphic train order system, while between Dolgeville and Salisbury Center telephonic train order system is used.

The station buildings at Little Falls and Dolgeville are in good condition, clean and neat, and properly furnished. The Dolgeville station, a frame building, combination passenger and freight, has been practically rebuilt, a fire having burned the greater portion of it last October. There is only one station maintained on the Dolgeville & Salisbury railway, at Salisbury Center, where there is a passenger car set off on siding and used for station purposes.

About 150,000 feet of timber, mostly yellow pine, have been used in repairs and renewals of wooden structures along the line; about 3700 cross-ties, one-half cedar, balance Georgia pine, have been put in track; 80 carloads of crushed stone have been used in ballasting track between Little Falls and Dolgeville; an addition was built to freight house at Dolgeville, greatly increasing its capacity.

Recommendations: That the ditches be opened in the clay and quicksand cuts; that the stringers, ties, and guard timbers be renewed on all open cattle passes where timber is poor: there are 14 cattle passes, not counting the one of 4 spans which is included in timber trestles; commencing at the Little Falls end of road, renewals should be made to stringers, ties, and guard timbers, wholly or in part, at Nos. 3, 4, 7, 9, 10, 11, 12, and 14, and timber bent abutments should be renewed at No. 7; that the two foundation piers at Ransom Creek viaduct be reinforced with concrete or masonry wall, to prevent their being undermined by the water in the creek.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

LONG ISLAND RAILROAD.

Inspected April 27, 28, 29, 30, 1908. Last previous inspection April 23, 24, 25, 26, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the portions of the various lines of the Long Island railroad in the Second District, and respectfully submit the following report:

The various lines of the Long Island railroad within the Second District are as follows: Main line, from New York city line near Queen's station to Greenport, 80.70 miles, with second main track from city line to Hicksville, 11.23 miles, and approximately 22.90 miles of sidings and yard tracks; Montauk division main line, from New York city line near Valley Stream to

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Montauk, 100.95 miles, with second main track from city line to Oakdale, 33.13 miles, and third main track city line to Valley Stream, 1.30 miles, with 32.08 miles of sidings and yard tracks; North Side branch, from New York city line near Little Neck to Port Washington, 5.27 miles single track, with 2.40 miles sidings and yard tracks; Oyster Bay branch, from Mineola to Oyster Bay, 14.68 miles, with second main track from Mineola to Roslyn, 4.36 miles, and 6.63 miles of sidings and yard tracks; Wading River branch, from Hicksville to Wading river, 45.34 miles single track, and 10.64 miles of sidings and yard tracks; Hempstead branch, from Mineola to Hempstead, 2.41 miles single track, with 2.25 miles sidings and yard tracks; Central branch, from New York city line near Floral Park to Belmont Junction on Montauk division main line, 19.97 miles single track, with 2.29 miles sidings and yard tracks; New York Bay extension branch, from Hempstead crossing to Valley Stream, 6.15 miles single track with 0.95 mile sidings and yard tracks; Manor branch, from Manorville on main line to Eastport on Montauk division main line, 5.77 miles single track, with 0.31 mile of sidings and yard tracks; Sag Harbor branch, from Bridgehampton on Montauk division main line to Sag Harbor, 4.57 miles single track, with 1.79 miles sidings and yard tracks; Far Rockaway branch, from Cedarhurst to Valley Stream and from Far Rockaway to New York and Rockaway Beach Junction, 4.33 miles double track, and 3.08 miles of sidings and yard tracks; Jamaica & South Shore branch, from New York city line to Cedarhurst, 2.08 miles double track: this line was for a time abandoned, but is now being rebuilt; it is not yet entirely completed and not being operated; it is to be equipped for electric operation; Long Beach branch, from Lynbrook on main line Montauk division to Long Beach, 6.46 miles single track, and 1.43 miles sidings and yard tracks; Beth Page branch, from Beth Page Junction on main line to Beth Page, 1.52 miles single track, with 1.32 miles of sidings and yard tracks: this branch, as well as the major part of the Central branch between Hempstead crossing and Belmont Park, is used only for freight purposes, there being no stations on either of these branches and no passengers carried in the territory above mentioned.

The following portions of the various lines are equipped or being equipped for electric operation: Main line from city line to Floral Park, then electrification is to be continued over the Central branch to Hempstead crossing and over the Hempstead branch to Hempstead, about $8\frac{1}{4}$ miles; the entire Far Rockaway branch is electrically operated, and the third track of the Montauk division from city line to Valley Stream; the Jamaica & South Shore branch, not yet put in use, is entirely equipped for electric operation.

The North Side branch, Oyster Bay branch, and much of the Wading River branch, are considerably crooked; the general alignments of the main lines on other branches are generally good, and there are very many long tangents, some of them several miles in length. The grades of most of the lines are somewhat broken, owing to the rolling country through which the roads are built. This is especially the case with the branches on the north side of the island: namely, North Side, Oyster Bay, and Wading River branches. The easterly ends of the two main lines have also grades somewhat broken, while on the remaining portions of the main lines and of the branches grades are fairly regular. The maximum grade of the main line is 49.8 ft. per mile, about one mile in length, east of Yaphank; the maximum curve is 5 degrees, east of Hicksville. Maximum grade, Montauk division main line, 89.8 ft. per mile for about 0.20 mile, located east of Saville; the maximum curve is 6 degrees, located west of Montauk. The maximum grade of the North Side branch is 121.4 ft. per mile, east of Great Neck, and is about 0.20 mile long; the maximum curve is 5 degrees, west of Port Washington. The maximum grade of the Oyster Bay branch is 74 ft. per mile, about 1.15 miles in length, near Oyster Bay; the maximum curve is 6 degrees, east of Mill Creek. The maximum grade of the Wading River branch is 85 ft. per mile, about 0.80 mile in length, east of Cold Spring; the maximum curve is 9 degrees 30 minutes, west of Cold Spring. The maximum grade of the Hempstead branch is 37 ft. per mile, about 1 mile in length, east of Mineola; the maximum curve is 6 degrees, west of Hempstead. The maximum grade of the Central branch is 42 ft. per mile for about 0.20 mile, west of Floral Park; the maximum

curve is 2 degrees, at Bath Beach Junction. The maximum grade of the New York Bay extension is 16 ft. per mile, about 1 mile in length, east of Norwood; the maximum curve is 3 degrees, at Hempstead Gardens. The maximum grade of the Manor branch is 65 ft. per mile for about 0.45 mile, west of Eastport; the maximum curve is 4 degrees, west of Eastport. The maximum grade of the Sag Harbor branch is 60 ft. per mile for about 0.40 mile, west of Sag Harbor. The maximum grade of the Far Rockaway branch is 27.4 ft. per mile for about 0.47 mile, near Hewlett's; the maximum curve is 5 degrees and 45 minutes, at Hewlett's. The Jamaica & North Shore branch is practically level and has only very slight curves. The maximum grade of the Long Beach branch is 12 ft. per mile for about 1.30 miles, east of Lynbrook; the maximum curve is 5 degrees, near Long Beach. The maximum grade of the Beth Page branch is 63.4 ft. per mile, and the maximum curve 2 degrees.

The cuts and embankments of all lines are of good width and natural earth slopes, excepting that there are a few cuts on the main line near the easterly end which are rather narrow, but as the material is of a sandy nature the narrowness of the cuts does not materially interfere with proper drainage excepting when the ground is frozen. The roadway is generally well drained, and in a very few of the cuts where there are springs tile sub-drains have been laid in the ditches.

Nearly all bridges in the roadway are of steel or iron and are designed for carrying with safety the heaviest classes of motive power and rolling stock used on the road. The only wooden span bridges are 3 short draw spans on the Long Beach branch; they are all of good construction; one is now being renewed, and the other two are in suitable condition; one is kept closed and the rails coupled up; the other two have to be opened occasionally; the rails of the draw span are interlocked with signals governing the approach, and the normal position of these signals is at danger; the train movements are slow in the vicinity of the bridges, the view of signals good, and the protection appears to be sufficient. All bridges, excepting the draw spans above referred to, which rest on piling, have good concrete or stone masonry abutments and piers. The ties and guard timbers are all standard dimensions, well maintained, and inside guard rails are on all openings to grade. Many bridges are noted which would be improved by an additional coat of paint to prevent injury from rust. The overhead bridges for highways and farm crossings are well maintained, and all less than 21 ft. above the track, as well as all other overhead obstructions, are protected by warning signals which are in proper condition. There yet remain in the main track of the main line 2 small timber trestles, and 7 in the main line of the Montauk division; also 6 in the Long Beach branch, 3 of them being quite extensive; and 1 in Central branch. All are of standard construction and in good repair. Nearly all open culverts and cattle passes have good concrete or stone masonry, I-beam stringers, with standard ties and guard timbers in good condition. There yet remain in the main line near the easterly end, and also in the main line of the Montauk division and Central branch, a few which have abutments of wood, but all are in fairly good condition, and arrangements are made for replacing them in the near future with permanent structures. The arch and box culverts and iron-pipe drains are all apparently in good condition.

The cross-ties on all the lines are about 40 per cent. oak, 50 per cent. yellow pine, and 10 per cent. mixed chestnut and cedar. The standard dimensions of most of those in track are 6 x 9 in., 8 ft. in length. The standard has been recently changed, and those put in last season are 7 x 9 in., 8 ft. 6 in. in length. They are in good general condition, nearly all necessary renewals for this season having been made. They are well spaced, full spiked, and laid at the rate of approximately 2816 to the mile of track. On the main line 12.20 miles of the main track are laid with 85, 78.06 miles with 80, 0.92 mile with 76, and 0.75 mile with 70-lb. steel rail; the 85-lb. rails are connected by angle plates 34 in. in length, the other rails by angle plates 29 in. in length with 6 bolts; the rail is in very good condition, necessary renewals having been or are being made; all the connections are full bolted and no loose bolts were observed. On the Montauk division main line 63.40 miles are laid with 100, 6.90 with 85, 64.68 with 80, 0.10 with 76, and 0.30 with 56-lb. rails; the 100-lb., 80-lb., and 76-lb. rails are connected by angle plates 29 in. in length,

and the 85-lb. by angle plates 34 in. in length, with 6 bolts; the 56-lb. rail by angle plates 29 in. in length with 4 bolts; the rail is in very good condition, necessary renewals having been or are being made; all the connections are full bolted and no loose bolts were observed. The North Side branch is laid entirely with 80-lb. steel rail, connected by angle plates 29 in. in length with 6 bolts; the rail is in very good condition, all connections full bolted, bolts tight. The Oyster Bay branch has 14 miles laid with 76-lb., and the remainder, 4.36 miles, with 100-lb. steel rails, all connected by angle plates 29 in. in length with 6 bolts; the 100-lb. rail is in first-class condition, the 76-lb. rail in fairly good condition, and renewals are being made as necessary; the connections are in good condition, all the bolts tight. The Wading River branch has 39.74 miles laid with 80, and the remainder, 5.60 miles, with 70-lb. steel rails, all connected by angle plates 29 in. in length with 6 bolts; the 80-lb. rail is in good condition, the 70-lb. rail somewhat worn, and arrangements are made for making necessary renewals. The Hempstead branch is laid entirely with 80-lb. steel rail connected by angle plates 29 in. in length with 6 bolts; part of the rail is worn to a considerable extent and some renewals will be necessary. The Central branch has 4 miles track laid with 80, 0.47 with 61, and the balance, 15.50 miles, with 56-lb. steel rails; the 80-lb. rail is connected by angle plates 29 in. in length with 6 bolts, the 61-lb. by angle plates 24-in. in length, and the 56-lb. by angle plates 29 in. in length with 4 bolts; the 80-lb. rail is in first-class condition; the lighter rail is somewhat worn but is suitable for the very light traffic, there being operated over the road only an occasional freight train; all the connections are full bolted and no loose bolts observed. The New York Bay extension branch has 5.41 miles laid with 61-lb., and the remainder, 0.74 mile, with 76-lb. steel rails; the 61-lb. rail is connected by angle plates 24 in. in length with 4 bolts, the 76-lb. by angle plates 29 in. in length with 6 bolts; the 61-lb. rail is considerably worn and some renewals should be made; the 76-lb. rail is in very good condition; no loose bolts were observed. The Manor branch has 5.68 miles laid with 70, and the remainder, 0.90 mile, with 80-lb. steel rails, all connected by angle plates 29 in. in length with 6 bolts; the rail and connections are all in good condition. The Sag Harbor branch has 1.48 miles laid with 80, and the remainder, 3.17 miles, with 56-lb. steel rails; the 80-lb. rail is in good condition; the 56-lb. rail is somewhat worn and some renewals will be needed; the connections are in proper condition. The Far Rockaway branch is laid entirely with 80-lb. steel rail connected by angle plates 29 in. in length with 6 bolts; the rail and connections are in first-class condition. The Jamaica & South Shore branch is laid entirely with new 80-lb. steel rail connected by angle plates 29 in. in length with 6 bolts, and the track is in first-class condition throughout. The Long Beach branch has 5.71 miles laid with 60-lb., and the remainder, 0.75 mile, with 70-lb. steel rails; the 60-lb. rail is connected by angle plates 24 and 29 in. in length with 4 bolts, and the 70-lb. by angle plates 29 in. in length with 6 bolts; the rail is in suitable condition for the traffic of that branch, and all the connections full bolted and bolts tight. The Beth Page branch is laid entirely with 56-lb. steel rail connected by angle plates 29 in. in length with 4 bolts; the rail is in fair condition for the traffic of that branch, all connections full bolted and bolts tight. All main-track switches are split point and have rigid spans with proper targets well painted. Switch and semaphore lamps show red light for danger, green for safety, and yellow is used for caution. Most main-track frogs are spring rail, some rigid frogs are used at junctions, and also on branch lines with a lighter rail; all are in proper condition. Derailing switches are in all sidings where their use is necessary, and have proper targets; many of the derailing switches are interlocked with the main-track switch stands; at many of the obscure places facing switches are protected by distant signals interlocked with the switch stands, and in some cases automatic electric signals are used to protect yards and obscure places. The main tracks are ballasted with gravel, cinders, and sand in fair to good quantity, and additional ballasting is being done where it is considered necessary. The alignment and surfacing of track are first class, and the outer rail on curves properly elevated for the speed at which trains are scheduled. The track sections are generally from 5 to 6 miles in length and the average force maintained on each, while it varies

somewhat according to location and amount of yards and sidings, consists of foreman and 4 laborers in winter and foreman and 8 laborers in summer. Each gang is furnished with flags, lanterns, fuses and torpedoes for protecting its work. All portions of the road are patrolled daily by some member of the section force.

The Oyster Bay branch connection with the Hempstead branch crosses the main line at Mineola: the crossing is protected by a modern complete interlocking plant. The Hempstead Bay branch crosses the Central branch near Mineola: this crossing is also protected by a modern complete interlocking plant. One track of the Long Island Traction Company, electric, crosses the New York Bay extension branch on Franklin avenue, Hempstead: there are derailing switches in the track of the electric road and the proper protection over the trolley wire. One track of the New York & Long Island Traction Company, electric, crosses the Montauk division at Freeport: there are derailing switches in the track of the electric railroad and proper protection over the trolley wire, and there are interlocked signals on both the electric and the steam road. One track of the New York & Long Island Traction Company crosses the Central branch on Franklin avenue, Garden City: there are derailing switches in the track of the electric railroad and proper protection over the trolley wire; the crossing is additionally protected by interlocked signals.

Interlocking switches and signals are maintained at Floral Park Junction on the main line with a 32-lever machine, 24 of the levers in use; at Mineola Junction on the main line with a 52-lever machine, 45 in use; at Valley Stream Junction on the Montauk division with a 48-lever machine, 46 in use; at Lynbrook Junction on Montauk division main line with a 16-lever machine, 11 in use; and at Hempstead crossing on the Central branch with a 36-lever machine, 24 in use.

The right of way is free from trees, brush, and rubbish, extensive cleaning having been done since the last inspection. Fences are not generally maintained, excepting on the electrically operated portions of the road, where wire fences have been built and are in good condition. Some fences are maintained on other portions of the road and there has been some improvement in fences since former inspection.

The highway crossings are well graded, planking in good condition, and are protected by signs of the diamond form properly located and well painted. On the electrically operated portions of the road, proper cattle guards and guard fences are maintained, but at most other crossings there are no cattle guards or guard fences; 5 crossings of the main line are protected by flagmen and gates, 5 by flagmen, 17 by electric bells, and 98 by crossing-signs only; 11 on the Montauk division main line by flagmen and gates, 16 by flagmen, 24 by electric bells, and 127 by crossing-signs only; 1 one the North Side branch by flagman and gates, and 1 by flagman; 2 on the Oyster Bay branch by flagmen and gates, 4 by flagmen, 6 by electric bells, and 6 by crossing-signs only; 3 on the Wading River branch by electric bells and 47 by crossing-signs only; 3 on the Hempstead branch by flagmen and gates and 4 by crossing-signs only; 1 on the Central branch by flagman and gates, 1 by flagman, 3 by electric bells, and 38 by crossing-signs only; 1 on the New York Bay extension branch by an electric bell and 13 by crossing-signs only; 9 on the Manor branch by crossing-signs only; 2 on the Sag Harbor branch by electric bells and 6 by crossing-signs only; 3 on the Far Rockaway branch by flagmen, 1 by an electric bell, and 12 by crossing-signs only; 1 on the Long Beach branch by flagman and 7 by crossing-signs only; and 3 on the Beth Page branch by crossing-signs only.

Automatic electric block signals are in operation on the main line from Floral Park to Mineola, on the Montauk division main line from city line to Oakdale, on the Oyster Bay branch from Mineola to Roslyn, and Locust Valley to Oyster Bay. Some automatic electric block signals are also placed at obscure places on various other lines. On other portions of lines above mentioned, and on the other lines, movement of trains is governed by the telegraphic train order system. Mile-posts are maintained on nearly all lines, and where not, miles are marked on the nearest telegraph pole. Whistle-posts are located at the proper distance from all highway crossings.

The station buildings, while many of them are small, are apparently gen-

erally sufficient for the requirements and are in good repair and generally well painted. The passenger station building at Hicksville, and also the one at Riverhead, are apparently about the oldest and smallest in proportion for the business of any on the road, and I am advised that new stations will be erected there soon. Several new stations have been erected during the past two years, all of modern design and very tasty and apparently sufficient for all requirements. Drinking water is provided, and time-tables are posted in the waiting rooms. Toilets in stations are of sanitary construction, those outside located at a considerable distance from the station are kept locked, keys with the agents. All are apparently properly cared for. Station employees are uniformed and wear a badge indicating their employment. Station grounds and yards are in good condition, and at many of the more important stations there are parks, with shrubbery and flowers. All the motive power and rolling stock which came under my observation were apparently in good condition. The coaches are supplied with drinking water and have emergency tools properly located in the centers of the cars. Emergency tools are also carried in baggage, express, and mail cars. All the passenger equipment has automatic couplers and air brakes; all the freight equipment has automatic couplers, and about 86½ per cent. is equipped with air brakes. Passenger cars are heated by steam, and are lighted by gas, oil, and electric lamps. Box steps are carried for use at stations with low platforms and at flag stations where there are no platforms. On locomotives of the so called "Mother Hubbard" type, where the enginemen's and firemen's cabs are separated, there are speaking tubes provided and an emergency valve located within reach of the firemen.

The principal repairs and improvements noted since the last inspection are as follows: About 21 per cent. of the cross-ties have been renewed; 11 miles of 80-lb. rail laid on the Wading River branch, replacing old 70-lb. rail; 1.29 miles 80-lb. rail on the Hempstead branch, replacing lighter worn rail; 4 miles of main-line track have been re-ballasted with cinders, 10 miles of the Wading River branch with gravel, and some small additions and repairs to ballast have been made on the other lines; 1 wooden overhead bridge on main line has been replaced with an iron bridge, 1 plate girder bridge of the Montauk division main line replaced with heavier girders, 1 plate girder bridge of the Wading River branch replaced by heavier girders; 6 timber trestles and open culverts of the main line Montauk division have been replaced with concrete arches, and 7 with iron pipe and filling; 2 open culverts of the Bath Beach branch with iron pipe and filling; 1 pile trestle on the Central branch has been rebuilt, and 2 frame trestles on the Sag Harbor branch replaced with iron pipe and filling; 3 new station buildings have been erected on the main line, 10 repaired, and 25 re-painted; 14 new on the Montauk-New England main line, 8 repaired, and 12 re-painted; 1 new on the North Side division and one re-painted; 4 new on the Oyster Bay branch, 4 repaired and 1 re-painted; 3 new on the Wading River branch and 3 re-painted; 2 of the New York Bay extension have been re-painted; 17 bridges of the Montauk division have been re-painted, also 1 on the North Side division, 1 on the Oyster Bay branch, and 1 located on Far Rockaway branch; new fences have been built where tracks have been equipped for electric operation, and some new fences and some repairing done to fences on other portions of the road; the yard at Riverhead on main line has been remodeled and about 0.70 mile of new track added; the Montauk division yard at Freeville has had about 0.26 mile of track added; Sayville yard, 0.11 mile; Babylon yard, 1.95 miles; on the Oyster Bay branch yards at Sea Cliff and Glen Cove, increase 1.07 miles.

Recommendations: That the worn rails on the Wading River branch, the New York Bay extension branch, the Sag Harbor branch, and the Hempstead branch be replaced, and that as soon as renewal becomes necessary the wooden structures in the main line and in the Montauk division main line be replaced with permanent structures; and that fences and cattle guards be maintained as required by law.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

LOWVILLE AND BEAVER RIVER RAILROAD.

Inspected July 18, 1908. Last previous inspection July 27, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Lowville & Beaver River railroad, and respectfully submit the following report:

The Lowville & Beaver River railroad connects with the Rome, Watertown & Ogdensburg division of the New York Central & Hudson River railroad at Lowville and extends to Croghan, a distance of 10.44 miles, and has approximately 1.10 miles of sidings and yard tracks; it is a single-track railroad. The general alignment is very fair: maximum curves 8 degrees; the grades are somewhat broken and considerably steep for about 2 miles near Lowville, the maximum being 111 ft. per mile. The cuts and embankments are of fair width and natural earth slopes, and the roadway is well drained.

The steel and iron bridges on the main line, 6 spans, are in good condition, are erected on concrete masonry, have standard ties and guard timbers well maintained, and inside guard rails are placed on all of them. On a spur track leading to a paper and pulp mill at Beaver Falls there are 5 spans of deck plate girder bridge on concrete masonry; this bridge was erected about two years ago; at the time of erection the lateral connections and X braces between the girders were not riveted up, bolts being used instead; these bolts however are all tight, and the bridge being on a switching track, where all movements are slow, that construction will be all right if care is taken to keep the bolts tight; the ties and guard timbers are standard and in good condition; the bridge should be re-painted to prevent injury from rust; at the northerly end of this bridge a spur track has been put in and the tracks from the end of the bridge to and beyond the frog are supported on timber cribbing, and the main spur to its end, which is about 500 ft. from the bridge, is entirely on cribbing and trestle; between the switch, which is directly at the end of the bridge, and the frog there is quite a sag in the track, which puts a severe twist at about the point where the frog is; this is very likely to result in derailment, and in fact there is evidence of derailment having occurred there, and being on elevated structure directly at the end of the bridge, derailment is liable to result seriously; therefore, either the northerly end of the bridge should be raised slightly and the sag in the track between that point and the frog taken out, or the sag in the track immediately at the north end of the bridge taken out and the track in the vicinity of the frog lowered, either of which will render the operation safe. There are no wooden span bridges either in the roadway or for overhead highway or farm crossings. The only timber trestle in the main-line track is one of 83 spans of 14 ft. each of pile trestle, located near the crossing of Black river: there is no water passing under this trestle excepting in time of freshet, when the river breaks over its bank; most of the piles are of oak timber; a few near the westerly end are of spruce, and this portion of the trestle will need renewing by another year; it is proposed to put in 6 spans of iron bridge of about 50 ft. each, and fill the remainder of the trestle as rapidly as becomes necessary; the stringers, ties, and guard timbers are of standard dimensions and in good repair. All the open culverts and cattle passes have masonry abutments of either concrete or stone, timber stringers, standard ties and guard timbers, in good repair. The arch, box, and pipe culverts are all in good condition; there is but one arch, of concrete, and the pipe culverts have concrete masonry at ends.

The cross-ties, mainly of cedar, are 6 x 8 in., 8 ft. in length, and laid at the rate of 2816 to the mile of track. The road has not been built a sufficient length of time to require very many renewals and those necessary have been made. All ties are well spaced and full spiked.

The track is laid with 60-, 65-, and 67-lb. steel rails, connected by angle plates 22 and 24 in. in length with 4 bolts. The rail was second-use when laid, but is in fair condition for the light traffic and moderate speed maintained, and about $\frac{1}{2}$ mile of new 60-lb. rail has been laid since the last inspection, replacing some rails that were worn or injured by the slipping of driving wheels. The main-track switches are split point and have automatic

stands with proper targets. Night trains are not operated. Nearly all frogs are rigid and in proper condition. No sidings were observed where derailing switches were required.

The track is ballasted with gravel and sand in fair quantity, nearly one-half the line having been re-ballasted since the last inspection. The track is in proper alignment and surface and the outer rail on curves properly elevated for the speed at which trains operate.

The road is maintained as a single section, and the force employed consists of a foreman and 8 laborers.

The right of way is free from trees and brush, and the grass and weeds were being cut at the time the inspection was made. Fences are of wire and in fair condition.

The highway crossings are well graded, properly planked, and protected by signs of the diamond form. Cattle guards are not maintained.

There is but one train on the road, therefore a block system is unnecessary.

At Lowville there is a commodious passenger and freight station of brick; at New Bremen, Beaver Falls, and Croghan, the remaining stations, there are combined passenger and freight stations of wood; all are in good condition; waiting rooms clean and neat. In the Lowville station there are sanitary closets, and at the other stations outside closets, in good condition.

Since the last inspection a decided improvement has been made in the condition of ditches; necessary renewal of cross-ties made; one-half mile of new 60-lb. rail laid, replacing worn rail; inside guard rails have been placed on the iron bridges; and guard timbers put on open culverts and cattle passes where previously lacking.

Recommendations: That the changes suggested in the body of the report as necessary at the north end of the bridge on spur track at Beaver Falls be promptly made, to obviate danger of derailment, and the bridge be repainted; that the portion of the timber trestle near the crossing of Black river where the piles are of spruce be replaced or filled within the coming year; and that cattle guards be maintained as required by law.

Respectfully submitted,

J. D. SHULTZ,
Steam Railroad Inspector.

MARCELLUS AND OTISCO LAKE RAILROAD.

Inspected November 23, 24, 1908. Not previously inspected.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Marcellus & Otisco Lake railroad, and respectfully submit the following report:

The Marcellus & Otisco Lake railroad is a single-track line extending from a connection with the Auburn branch of the New York Central & Hudson River railroad at Martisco to the foot of Otisco lake, a distance of 9.05 miles, and has 2.19 miles of sidings and yard tracks. This road was chartered in 1905 as an electric railroad and recently received permission to operate by steam power. The road is extremely crooked, especially on the northerly portion from Marcellus to Martisco, approximately 3 miles. As originally planned there were to be 4 curves with radius of 200 ft. approximately 29 degrees; in the construction, however, the plan lines were not followed entirely, and the curves are irregular. As near as I can ascertain from measuring, there were places where curves were as sharp as 46 to 50 degrees. The road uses a locomotive with very short wheel-base, but on curves of such a character it is not certain that you can keep on track at all times, even with the short wheel-base, and when it comes to new and rigid cars the problem of keeping them on track is still greater. That the Company has not been able to keep them on track at all times is evidenced by the frequent indications of derailment, and the only safety in operating such a road is in making the speed so slow that when they do get off track the train can be stopped before getting off the top of the embankment. Some of these curves are reversed, and many of them are extremely sharp in places. South of Marcellus

the curves are generally lighter, although I found one which would indicate about 26 degrees. There are 46 curves in all, making an average of more than 5 to the mile. The grades are considerably irregular and have a maximum of 132½ ft. per mile for a distance of about 600 ft. near Marcellus Falls; there are other grades of about 80 ft. per mile. Some of the cuts are narrow and have steep slopes. This is especially the case with some of the side cuts north of Marcellus. Ditches are generally lacking. The embankments are generally of fair width, although some places were observed where reinforcing is necessary.

There are 3 iron bridges, 1 of I-beams, about 24½ ft. span, and 2 through plate girder bridges 45 ft. in length: they have concrete masonry, properly constructed. The I-beam span has proper ties and guard timbers; the plate girder spans have poor ties and no guard timbers. One of these bridges has had ties damaged and floor beams bent, caused by derailment; the bridge however is apparently in safe condition, having surplus strength for the class of motive power and rolling stock used. The bridges are fairly well painted. Inside guard rails are maintained. There are no wooden span bridges, either in the roadway or for overhead crossings. There are 8 timber trestles: 6 with pile, and 2 with framed bents. No. 5, counting from the Otisco lake end, consisting of 5 spans of 15½ ft. each, has poor piles; one abutment of concrete is built, toward replacing it with a span bridge. The pile abutments to the other trestles are getting old and should be rebuilt or replaced with permanent structures promptly. One framed bent trestle consisting of 5 spans, near Martisco, is being replaced with concrete arch and filling, the other framed trestle has poor ties and guard timbers and will need replacing or rebuilding soon. All the trestles have spans of 15 to 17 ft., and have 2 8 x 16 stringers under each rail; this is sufficient for the light motive power used, but if cars of 100,000 capacity are to be operated over the line there should be an additional stringer put in on either side. Nearly all the trestles have some poor ties and guard timbers. There are 6 open culverts and cattle passes: 4 of them have concrete abutments, and 2 abutments of stone masonry; all have timber stringers, ties in fair condition; Nos. 1, 11, and 14 lack guard timbers. The arch, box, and iron-pipe culverts are in fair to good condition; some vitrified pipe drains are used and are as yet whole.

The cross-ties are 5-in. face and upward, 6 in. in thickness, 8 ft. long, and laid at the rate of 2640 to the mile of track; about 60 per cent. of them are cedar, nearly all the remainder chestnut; a few oak are used. Some renewals are needed and a few places were observed, and attention directed to them, where there were two or three poor ones together; new ties should be put in those places promptly. Approximately 10 per cent. of all ties in track need renewal. About 1000 new cross-ties have been put in within the last two months, and 2000 more are ordered. The ties are fairly well spaced and full spiked.

The track is laid entirely with 70-lb. steel rail, and on the sharp curves it is in 60-ft. lengths. The rails are connected by angle plates 24 and 32 in. in length with 4 bolts. The rails are in good condition, connections full bolted and bolts tight. All switches are split point and have rigid stands, many of them lacking targets; it was also observed that in nearly all cases the stands were not locked. Night trains however are not operated, and all trains move very slowly, speed being reduced to 5 or 6 miles per hour on some curves. Both rigid and spring rail frogs are used, and are in good condition. Derailing switches are in sidings where their use appears necessary, but the stands have no targets.

The track is very lightly ballasted with gravel. The alignment and surfacing are considerably irregular, and the elevation of the outer rail on curves variable.

The track is maintained by a force consisting of a foreman and about 4 men in winter and 8 men in summer; at the time of the inspection however there was a force of 14 laborers employed in the effort to get the track in better condition for winter service.

The right of way is entirely cleared and fairly clean. The fences are of wire; they are only maintained opposite grazing land, but where maintained are in fair condition.

There are 14 highway grade crossings: they are very well graded, planking in fair condition, and with 2 exceptions are protected by signs of the diamond form; at 2 crossings, to which attention was directed, and which may prove to be private crossings, being little traveled, there are no signs. On portions of the road where fencing is maintained there are vitrified cattle guards.

The movements of trains are governed by the telephone.

At the terminus of the road at Otisco lake there is a small wooden station with concrete platform, for summer use; at Rose Hill a fair, combination wooden station with plank platform; at Marcellus a fair, combination wooden station with plank platform; at Martisco the station facilities of the New York Central & Hudson River railroad are used. The stations are properly furnished and there are suitable toilet facilities.

Recommendations: That the cuts and embankments be made of proper width and slopes, and suitable ditches maintained; that the two plate girder bridges have new ties and guard timbers put on; that trestle bridge No. 5 be promptly replaced and the other trestles replaced in the near future, and that if 100,000 capacity coal cars are to be operated over the road an additional stringer be put under each rail; that the poor ties and guard timbers to which attention was called, on all the structures, be promptly renewed, and the lacking guard timbers on Nos. 1, 11, and 14 be supplied; that about 10 per cent. of the cross-ties be renewed; that all switch stands be supplied with targets and that they be kept locked; that the track be properly ballasted, put in proper alignment and surface, and the curves made regular; that the missing crossing-signs be supplied; and that the speed of trains be restricted so that in case of derailment, which on a road of this character must frequently occur, the train can be stopped before the derailed cars get off the roadbed.

Respectfully submitted,

J. D. SHULTZ,
Steam Railroad Inspector.

MASSENA TERMINAL RAILROAD.

Inspected September 15 and November 11, 1908. Last previous Inspection October 23, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Massena Terminal railroad, and respectfully submit the following report:

The Massena Terminal railroad connects with the main line Rome, Water-town & Ogdensburg division of the New York Central & Hudson River railroad at Massena Springs, and extends to the power plant of the Pittsburg Reduction Company on La Grasse river, a distance of 1.50 miles, and has 0.75 mile of yard tracks. The general alignment is fair and there are few curves, the maximum being about 8 degrees. The grades are considerably broken and steep in places; the maximum is about 100 ft. per mile. The road is fairly well graded and the drainage system good.

There are three iron bridges: one across the canal in the yard at terminus is newly constructed; it is a fine bridge, has first-class masonry, and on either side of the railroad is a roadway for teams; in this bridge there is a draw span, very rarely used, and the rails are connected up; the other bridges, one across Raquette and the other across La Grasse river, are in first-class condition, have good masonry, standard ties and guard timbers well maintained; inside guard rails have not been put on, and as the road is used only for switching purposes and the movements of trains very slow, they hardly seem to be necessary. The open culverts and cattle passes, of which there are 3, are constructed entirely of timber: they are in good, sound condition and have had new stringers, ties, and guard timbers put on since the last inspection. There are no arch or box culverts. The pipe drains are in good condition.

The cross-ties are practically all cedar; they are from 6- to 8-in. face, 6 in. in thickness, 8 ft. in length, and laid at the rate of 2816 to the mile of track; they are in good condition, very extensive renewals having been made, are

fairly well spaced and full spiked. The track is laid with mixed 60- and 70-lb. steel rail connected partially by angle plates and partially by Fish plates 24 in. in length with 4 bolts. The rail is second-use, but is in fair condition for the light traffic and moderate speed maintained; all the connections are full bolted and bolts tight. There is one stub switch remaining in main track, all others are split point; they are in proper condition and have suitable stands and targets. The frogs are rigid.

The track is very lightly ballasted with gravel. The alignment and surfacing are fair considering the purposes for which the road is used and the slow speed at which trains are operated.

The section force varies, at times there being only one or two men and at others, when necessary to make repairs, quite a large force, taken from the company's other works, is put on.

There are no trees or brush on the right of way. The fences are mainly of wire and some repairs are necessary. The highway crossings are properly graded, planking in good condition, and are protected by signs of the diamond form. There are no cattle guards.

The road maintains no station buildings, owns no motive power or rolling stock, and is used entirely for switching purposes and operated by men with motive power and equipment of The New York Central and Hudson River Railroad Company.

Since the last inspection (October, 1906) about 25 per cent. of the cross-ties have been renewed; some ballast has been put in; rail connections have been full bolted; a new steel bridge has been built across the Massena canal; the 3 open culverts and cattle passes have been put in proper condition, with new stringers, ties, and guard timbers.

Recommendations: That the stub switch be replaced with a split point switch; that the fences be put in proper condition; and cattle guards maintained as required by law at the grade crossings of the highways.

Respectfully submitted,

J. D. SHULTZ,
Steam Railroad Inspector.

MIDDLEBURGH AND SCHOHARIE RAILROAD.

Inspected August 11, 1908. Last previous inspection June 6, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Middleburgh & Schoharie railroad, and respectively submit the following report:

The Middleburgh & Schoharie railroad extends from Middleburgh to Schoharie, where it connects with the Schoharie Valley railway. It is a single-track standard-gauge railroad 5.33 miles in length, and has approximately 1 mile of sidings and yard tracks. The road is operated in connection with the Schoharie Valley railway, the same train operating over both roads, with a change in conductors at Schoharie. The road runs through a valley and has long tangents and light curves. The grading is light and the cuts and embankments are generally fair width. Some of the cuts should be widened to give sufficient width for ditches, and some ditches should be cleaned.

There are no steel or iron bridges in the roadway. There are 2 timber trestles of 4 spans each: they have 3 framed bents spaced from 6 to 8 ft. apart and on these are 12 x 12-in. stringers with corbels; the abutments are of small stone laid dry and are in fair condition; at the trestle nearest Schoharie some of the stringers are poor and need renewal, also some tie renewals on the first trestle from Middleburgh. There is also a 2-span trestle which was originally a 1-span open culvert of about 13 ft.; it now has a framed bent dividing the span; the abutments are of small stone laid dry, all in fair condition. There are 10 open culverts and cattle passes and open-pit cattle guards. At the Middleburgh end of the road there are 2 open-pit cattle guards, one each side of private road; the walls are poor, and the

opening can probably be filled. The next opening is an open culvert of about 7-ft. span with dry masonry abutments; one abutment is crowding in at the top and should be repaired. The next 4 openings are from 4- to 6-ft. spans and are not built in a substantial manner; the stringers are in most cases 7 x 8 or 7 x 9-in. carried on ties or timbers for abutment; they were safe at time of inspection, but may become unsafe after heavy storms; if they are to remain, they should be built in a more substantial manner. The next open culvert is of 9-ft. span, with dry masonry abutments in fair condition, except that one abutment needs repairs at one of the stringer bearings, where stones are crumbling; stringers 12 x 12-in. oak with standard ties and guard timber in good condition. The next opening is similar to the 4 openings above mentioned, and is of 5- to 6-ft. span with a 7 x 9-in. stringer or tie under each rail; it has but a small opening between stringer and bottom of ditch, with more or less blocking under stringers; if to remain, should be made substantial. The next and last open culvert is of 4-ft. span, with abutments of dry masonry; the stone are small, the abutments are bulged and leaning and should be rebuilt; the stringers are 10 x 12-in. in size and 12 ft. in length, extending some 4 feet back from face of opening. There are no arch culverts. The box and pipe culverts are apparently in good condition.

The cross-ties are 6 in. by 6 to 8 in., and 8 ft. in length, and are laid at the rate of 2640 to the mile of track. About 800 ties were renewed last year and about 700 this year. There are some ties yet to go in.

The track is laid with mixed 50-, 56-, and 60-lb. steel rails, connected by angle plates 24 in. in length with 4 bolts. The angle plates do not fit the 56-lb. rail well, and many of the bolts are therefore loose. The rail is in fair condition. Both split point and stub switches are in use. Switch stands are rigid; some targets need re-painting; no switch lamps used, as night trains are not run; no derailing switches required. With one exception the frogs are rigid: in the switch just south of Schoharie station the frog is a movable one, and if set wrong for direction of traffic is moved over by the wheels as they approach; while there has been no trouble caused by this frog, it is not one to be recommended.

A little over one-half of the line is ballasted with broken stone in fair quantity. The balance of line would be greatly improved by additional ballast. The alignment and surfacing of track are fair for the low rate of speed with which trains are operated. The section force consists of one foreman and 3 men.

The right of way is narrow and only partly fenced, and is fairly clean.

The highway crossings are properly graded and planked and are protected by crossing-signs of diamond form well painted; 3 crossings have cattle guards; 1 metallic- and 2 wooden-slat form; 1 crossing without guards. The cattle guards are without the proper guard wing-fences and necessary right of way fences to make them serviceable.

The only station building is at Middleburgh: it is a frame building, neat, clean, and in fair repair; the outside closets, on opposite side of track, are located poorly and are in bad condition. At Schoharie the station belongs to the Schoharie Valley railway.

A permanent bent has been placed in center of the 13-ft. open culvert, making it a 2-span structure, as recommended in last report. No repairs or improvements have been made other than the ordinary maintenance repairs.

Recommendations: That the ditches be opened and cleaned where necessary; that repairs be made to stringers on trestle near Schoharie; that the masonry of the 7-ft. open culvert near Middleburgh, and the 9-ft. open culvert north of the 3-span trestle, be repaired; that the masonry of the 4-ft. span open culvert, the last on the line, be promptly rebuilt; that the opening with spans from 4 to 6 ft., to which attention is called in this report, be replaced with more substantial work; that the fences be put in proper shape; and changes be made in the closets at Middleburgh passenger station.

Respectfully submitted,

E. F. VAN HOESEN,
Inspector Steam Railroads.

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MIDDLETOWN, UNIONVILLE AND WATER GAP RAILROAD.

Inspected November 8, 1908. Last previous inspection October 3, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Middletown, Unionville & Water Gap railroad, and respectfully submit the following report:

The Middletown, Unionville & Water Gap railroad is operated by the New York, Susquehanna and Western Railroad Company, and that in turn by the Erie Railroad Company. It is a single-track standard-gauge road extending from a connection with the main line of the New York division of the Erie railroad at Main street, Middletown, to the Pennsylvania-State line near Unionville, a distance of 13.65 miles, and has 2.86 miles of sidings and yard tracks. The general alignment of the road is very good and curves are light. The maximum, aside from one of 10 degrees in the Middletown yard, is 5 degrees. The grades are generally light, and aside from one of 123 ft. per mile for 900 ft. in length at a point about 1.4 miles east of Middletown, the maximum is 53 ft. per mile. Cuts and embankments generally are of proper width and slope, and ditches are in good condition and drainage system good.

The steel and iron bridges, while one or two of them are light, are in good condition and are of sufficient strength for the class of motive power and rolling stock used on the road; the bridge masonry is in good condition, repairs having been made since last inspection. New ties are needed on bridges 79.15 and 86.92, and a piece of guard timber should be renewed on 86.92. All bridges have standard ties and guard timbers, and inside guard rails are maintained. There are no wooden bridges or timber trestles. All open culverts and cattle passes have masonry abutments; 2 have wooden stringers; all the others have I-beam stringers or plate girders; all are in good condition and have standard ties and guard timbers. Cattle pass 75.57 should have new guard timbers. The arch, box, and pipe culverts are apparently in good condition.

The standard cross-ties are 7 x 9 in., 8 ft. 6 in. in length, and laid at the rate of 2816 to the mile of track; they are about 60 per cent. pine and 20 per cent. each oak and chestnut; the ties are in good condition, extensive renewals having been made since last inspection, and are well spaced and full spiked.

Of the rail, 9.85 miles are laid with 60-lb. steel rail and 3.8 miles with 70-lb. rail, connected by angle plates 24 in. in length with 4 bolts; the 3.8 miles were laid with second-use 70-lb. rail replacing like amount of 60-lb. since last inspection; all the rail is in fine condition, all connections full bolted; a few loose bolts observed.

The main-track switches are split point and have automatic stands with well painted targets; switch and semaphore lamps show red light for danger and green for safety. Both spring rail and rigid frogs are used, and derailing switches are in all sidings where their use appears necessary.

The track is ballasted with gravel and cinders in fair quantity. About 9 miles of track have been re-ballasted with cinders since last inspection. The alignment and surfacing are good, the outer rail on curves properly elevated for the speed at which trains are scheduled.

The track sections are 6.75 miles in length and the force consists of a foreman and 5 laborers; each gang is furnished with flags, lanterns, and torpedoes, and all portions of the track are patrolled daily by some member of the section gang.

There are no grade crossings of steam or electric railroads, and no interlocking plants are maintained.

The right of way is free from trees, brush, and rubbish. Fences are of wire and are in fair condition generally; there are a few places where it would appear that repairs are necessary. Mile-posts are maintained.

The highway crossings are well graded and properly planked and are protected by signs of the X form, suitably located and well painted. Of the 20 crossings, 1 is protected by flagman. Cattle guards are not maintained. Whistle-posts are at the proper distance from all crossings.

The movements of trains are governed by telegraphic train order system.

The station buildings are generally small but in fair repair, and are apparently sufficient for the requirements. They were in neat and clean condition at the time of inspection.

The principal repairs and improvements made since last inspection are as follows: About 44 per cent. of the cross-ties have been renewed; 3.8 miles of track have been laid with second-use 70-lb. steel rail replacing worn 60-lb.; 8 miles of track have been re-ballasted with cinders; 1 open culvert and cattle pass has been replaced with a 36-in. pipe, 1 replaced with concrete top, and 3 have been extensively repaired; the masonry to 3 bridges has been repaired; 4 bridges have been re-painted; 1 station building repaired and painted; 2 miles of fence have been repaired; and all cuts have been ditched.

Recommendations: That new ties be placed on bridge 79.15; new ties and guard timber on 86.92; new guard on cattle pass 75.57; and that cattle guards be maintained at the boundaries of highways crossed at grade.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

MILFORD, MATAMORAS AND NEW YORK RAILROAD.

Inspected October 21, 1908. Last previous inspection August 8, 1905.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Milford, Matamoras & New York railroad, and respectfully submit the following report:

The Milford, Matamoras & New York railroad formerly extended from a connection with the Erie railroad at Port Jervis in a southerly direction across the Delaware river into Pennsylvania, and had about 0.15 mile of track in New York state. At the time of inspection nothing remained of the Delaware river bridge but 5 timber crib piers at the New York end of bridge, and portions of 1 stone and 2 timber piers on the southern half; a number of old deck girders are piled up on the New York side, and considerable old iron, probably portions of a through truss bridge, strung along the river bank on the Pennsylvania side. Adjoining the north end of this river bridge there is a through plate girder over a street or highway, and about 700 ft. of track extends from this bridge to a point in the Erie yards where the track stubs. There are no signs of any reconstruction, and the road can not be used until the river bridge is rebuilt.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

MOUNT BEACON INCLINE RAILWAY.

Inspected May 25, 1908. Last previous inspection July 5, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have inspected the Mount Beacon Incline railway, and respectfully submit the following report:

The Mount Beacon Incline railway extends from the foot of Mount Beacon, near Matteawan, to its westerly summit, a distance of 2200 feet. The alignment is composed of tangents and long, easy curves, all to the right ascending the mountain. The average grade is 64 per cent., the maximum being 74 per cent. The entire road, with the exception of 18 low bents of trestle about midway and 5 bents at the summit, is laid on the surface of the ground, the construction resting on mudsills spaced about 6 feet apart; on these sills and driftbolted to them are stringers 6 x 10 in., 1 under each rail, and on these stringers rest 6 x 6 in. ties, spaced at about 34-in. centers, each tie being driftbolted to the stringer. The guard timbers are built up of 2 planed 4 x 6-in. sticks, nailed together with lap joints and bolted to every tie with 2 $\frac{3}{4}$ -in. bolts. Idlers for carrying the cable, supported by the ties, are provided at intervals of about 36 ft. The portion of the road referred to as

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being on trestle has bents of an average height of about 10 ft., spaced 12½ ft. center to center; the bents rest on masonry piers; the bents themselves are composed of 4 10 x 10-in. posts and 10 x 10-in. sills and caps; resting on these bents are 4 6 x 12-in. corbels, notched in such manner as to transmit the load from above vertically, and on these corbels rest the 6 x 12-in. stringers, 2 under each rail; corbels, stringers, and ties are driftbolted together.

The masonry has been thoroughly repaired or rebuilt and is in first-class condition. The timber to the trestles is in thoroughly sound condition and of abundant strength. Three or four mudsills were observed near the foot of the plane, and attention directed to them, that while not in bad condition are somewhat decayed on the surface, and your inspector was advised that they would be renewed promptly. Two cross-ties, to which attention was also directed, need renewal. Aside from that, the roadway construction is in first-class condition.

The power house is located at the upper terminus of the road. In it are installed two 75-hp. motors, generating an electric motive force of 500 volts, directly connected to the machinery supporting the cable drums. Two circumferential brakes, one on each motor, are provided; the straps of these brakes are 9 in. wide and bear against 2½ ft. diameter wheels; they are applied by the force exerted by powerful helical springs, which are released under certain conditions by the current.

The cable drums, of which there are 2, are 10 ft. in diameter, mounted on 8-in. shafts, the whole mounted on a massive base which is anchored securely to the rock. The power is transmitted to these drums from the motor by gearing, the driver being 20 in. in diameter; the follower, mounted on one of the drum shafts, being 10 ft. in diameter. On this same shaft, and between the gear and drum wheels, and acting as a unit with these wheels, is another wheel of 10-ft. diameter, surrounded by a circumferential emergency brake, the width of strap being 6 in.; this brake is controlled by the speed of revolution of the drums and applied by the falling of weights which cause the strap to bear tightly against the wheel. An air cushion cylinder has been provided to prevent the too sudden application of this brake.

Two cars, capable of seating about 55 persons, are attached to the ends of the cable, which is 1¾ in. in diameter, and one car ascends while the other descends, the passing point being a so called Brown patent turnout, having specially constructed switches and frogs; each car is equipped with 4 wheels, those on one side being grooved, those on the other being entirely flat, and 8 in. wide. This construction and arrangement of wheels is for the purpose of operating cars over the frogs and switches. On one axle of each car is a round, iron wheel, to which are attached two dogs so arranged that, upon the centrifugal force reaching a certain amount they fly beyond the circumference of this wheel and there engage a lever, which in turn is released by this action from its bearing; this lever is weighted, and in falling rotates two heavy toothed jaws, one on each side of one of the guard timbers; this is the car emergency brake, and as the lever drops and the jaws rotate, the teeth engage the guard timber, and thus prevent the further down-hill movement of the car. This mechanism is also under the control of the conductor, and is so adjusted that at a speed of 700 ft. per minute the release of the lever is effected.

The ordinary speed of operation is about 500 ft. per minute. Telephonic communication is established between termini. Thorough inspections of the road are made daily. The operating machinery is all in first-class condition, and the cables, although they have been in use several years, appear very little worn.

From my inspection I consider the road in thoroughly safe condition, and the only recommendations I have to make are that the few mudsills that are getting decayed, and to which attention was directed, be removed, and the two cross-ties to which attention was also directed be replaced.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

NEW ENGLAND RAILROAD.

Inspected October 29, 1908. Last previous inspection July 10, 11, 1907.

To the Public Service Commission, Second District:

The New England railroad extends from the Connecticut-State line near Mill Plain to Hopewell Junction on the line of the Newburgh, Dutchess & Connecticut railroad, and from a connection with the same railroad at Wicopee Junction to Fishkill Landing. The distance between Wicopee Junction and Hopewell Junction is about 12 miles, and the trains which formerly ran from Fishkill Landing over the New England railroad operated for that 12 miles over the track of the Newburgh, Dutchess & Connecticut railroad, and the few trains that operate that way now, do the same. The Central New England and the Newburgh, Dutchess & Connecticut railroad having been acquired by The New York, New Haven and Hartford Railroad Company, practically all freight trains and nearly all the passenger trains, instead of operating to and from Fishkill Landing, run from Hopewell Junction over what is called the Hopewell branch of the Central New England railway, to or through Poughkeepsie; and the small piece of the New England railroad from Wicopee Junction to Fishkill Landing is now considered as a part of the Central New England. This piece of road is in proper condition for the use made of it, and is not considered further in this report.

The road is quite crooked, but most curves are light, the maximum is 7 degrees, located 2½ miles east of Poughquag. The grades are also quite steep but fairly regular; the maximum is 70 ft. per mile, located east of West Patterson. The roadway is well graded and drainage system is good; cuts and embankments are full width with proper slopes.

The steel and iron bridges are all in good condition. The masonry is good. Ties and guard timbers are standard and well maintained, and inside guard rails are on all structures of over 20-ft. span. There are no wooden bridges except those used for overhead highway and farm crossings; they are in proper repair and all less than full clearance height above track are protected by warning signals. There are no timber trestles. All open culverts and cattle passes have good masonry, and with one exception all have I-beam stringers; the one excepted has timber stringers of ample strength; the ties and guard timbers are of standard dimensions and are in good condition. The arch, box, and pipe culverts are apparently in good condition.

The cross-ties are about 80 per cent. chestnut and 20 per cent. oak; the standard dimensions are 6 x 8 in., 8 ft. in length for sawed ties, 6 x 6 in., 8 ft. in length if hewn; they are well spaced, full spiked, and are laid at the rate of 3168 to the mile of track. They are in good condition.

On main track, 31.11 miles are laid with 68-lb. steel rail connected by Weber joints with 4 bolts; 22.58 miles are laid with 79-lb. steel rails connected by angle bars 30 in. in length with 8 bolts; 1.56 miles are laid with 75-lb. steel rail; and 0.79 mile with 80-lb. steel rail connected by angle bars 24 in. in length with 4 bolts; the rail is generally in good condition; all connections are full bolted and bolts generally tight; some loose bolts were observed in the Weber joints. All main-track switches are split point and have automatic stands with targets in good condition. There are but two facing point switches: one is on an up-grade near a point where all trains stop; the other is protected by a distant signal interlocked with switch stand. Switch and semaphore lamps show red light for danger, green for safety; yellow is used for caution. All main-track frogs are spring rail. Derailing switches are on all sidings where their use appears necessary.

Tracks are ballasted with gravel in good quantity. The alignment and surfacing of track are first class, and the outer rails on curves are properly elevated for the scheduled speed of trains.

The track sections average about 4 miles in length, and the force on each consists of a foreman and 4 laborers. Flags, lanterns, and torpedoes are furnished section gangs for protecting their work. All portions of the road are patrolled daily by some member of the section force. At a rock cut near Poughquag a watchman is maintained at all hours, and in each direction is a distant semaphore signal under his control.

There are no grade crossings of steam or electric railroads. No interlocking plants are maintained.

The right of way is clean and clear, free from trees and brush, and is fenced with wire which is in good repair. Mile-posts are maintained.

The highway crossings are well graded, properly planked, and are protected by signs of the finger board type, properly located and well painted. Wooden-slat cattle guards with good wing-fences are properly maintained. One crossing is protected by a flagman and 10 by crossing-signs only. Whistle-posts are properly located.

The movements of trains are governed by telegraphic block system.

The station buildings are in good condition, are properly furnished, and are apparently sufficient for the requirements.

Since last previous inspection the following repairs and improvements have been made: About 6 per cent. of the cross-ties have been renewed; 0.73 mile of new 80-lb. steel rail have been laid, replacing worn 75-lb and 79-lb. rails; 1.10 miles of track have been re-ballasted with gravel, and 0.11 mile with cinders; 0.11 mile of new fence has been built, and 0.66 mile repaired.

The road is in good condition and no recommendations are necessary.

Respectfully submitted,

E. F. VAN HOESSEN,
Steam Railroad Inspector.

NEW YORK AND OTTAWA RAILWAY.

Inspected November 5, 1908. Last previous inspection August 16, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have inspected the New York & Ottawa railway, and respectfully submit the following report:

The New York & Ottawa railway extends from Tupper Lake to the Canadian line in the St. Lawrence river, near Cornwall, at which point commences the Ottawa & New York railway, which extends to Ottawa. The length of the New York & Ottawa railway in this State is 69.45 miles, single track, and it has about 6.80 miles of sidings and yard tracks. The portion of the road south of Moira is very crooked and many of the curves sharp; the maximum is 14½ degrees, between St. Regis Falls and Santa Clara. The grades are steep and considerably broken; the maximum is 150 ft. per mile.

The cuts and embankments on the westerly portion of the road are of fair width and proper slopes; a few embankments north of Moira are somewhat narrow and need reinforcing; some of the cuts on the southerly portion of the road are rather narrow to admit of proper ditches; on this portion of the road, however, the material is of a gravelly nature, so that there is not so much necessity for its drainage. Also on this portion of the road, especially between Santa Clara and Tupper Lake, some of the embankments through swamps have settled and should be raised to grade; the roadway is generally very well drained.

There are 6 iron and steel bridges. The one crossing the American channel of the St. Lawrence river is an extensive bridge consisting of 2 spans of 370 ft. each, 1 span of 272 ft., and 2 plate girder spans, one at either end, of 61 ft. each. The remaining bridges are smaller. All are in good condition. The piers of the river bridge are of stone masonry; the abutments, as well as the abutments of the other bridges, are of concrete. The bridges are well painted, the ties and guard timbers are of standard dimensions and are sound; inside guard rails are maintained on all. The only wooden bridge in the roadway consists of 2 spans of pony Howe truss, each 80 ft. in length, near St. Regis Falls; this bridge has been repaired and strengthened since the last inspection. The timber is in sound condition, the masonry good, and it has standard ties and guard timbers in good repair. The only other wooden bridges on the road are for overhead highway or farm crossings; all are properly maintained, and there are no overhead obstructions less than 21 ft. above the track. There are 12 timber trestles remaining in the main line roadway; some have pile and others framed bents; they are of standard

construction, with standard ties and guard timbers. No. 100-A, near Meno, has poor stringers and ties; and No. 110-A, near Bay Pond, in a swamp with very soft foundation, has been settling since the road was constructed, and men are now engaged raising the stringers and putting in additional blocking. The balance are in fair to good condition, and arrangements are made for doing necessary repairs. The long trestles have inside guard rails. None are high structures. There are 21 open culverts and cattle passes: 3 have stone abutments, 1 abutments of concrete, and the remaining 17 of timber; 20 of them have timber stringers and 1 has I-beams; all are in fair to good condition, with standard ties and guard timbers; extensive repairs and renewals have been made to many of these since the last inspection. There are no arch culverts; there are a few stone box culverts, but mostly they are of timber. Quite a number have been renewed since the last inspection, and all are in safe condition for the present.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2816 to the mile of track; about 70 per cent. are cedar, 20 per cent. tamarack, and 10 per cent. hemlock. At the time the inspection was made there was a slight covering of snow over quite a portion of the road, so that the condition of the cross-ties could not be very accurately determined; it is evident, however, that the condition of cross-ties has been considerably improved during the past year; quite extensive additional renewals are nevertheless needed; they are evenly spaced and full spiked. Many rail braces are used on sharp curves, and in some cases there are tie-plates.

Of main track, 18.40 miles are laid with 80-lb., 14.70 miles with 65-lb., and the remaining portion, 36.35 miles, with 56-lb. steel rails; the 80-lb. rails are connected by angle plates 30 in. in length with 6 bolts; the 65-lb. rails are connected by angle plates 40 in. in length, with 6 bolts, and the 56-lb. rails by angle plates 24 and 20 in. in length with 4 bolts; the 80-lb. and the 65-lb. rails are in very good condition; the 56-lb. rail is considerably worn and considerable renewal is necessary; all the connections are full bolted and bolts tight. All main-track switches are split point. Rigid and automatic stands are used; all have proper targets. Switch and semaphore lamps show red light for danger and white for safety. Rigid frogs are used with the 56-lb., and spring rail with the 80-lb. and 65-lb. rails; they are in proper condition. Derailing switches are in all sidings where their use appears necessary.

The track is lightly ballasted with sand and gravel. The alignment and surfacing have been considerably improved and are very fair. The outer rail on curves is properly elevated for the speed at which the trains are scheduled.

The track sections average about 6.4 miles in length and the force employed upon each consist of a foreman and 2 men in winter and 5 men in summer.

One track of the United States & Canada railroad (operated by the Grand Trunk Railway Company of Canada) is crossed at grade at Helena: the crossing is protected by a proper interlocking plant; 1 track of the Rutland railroad near Moira: the trains of the New York & Ottawa railway enter the track of the Rutland railroad by switch connection, thence by crossover to a siding owned by the Rutland railroad, and thence by switch to its own track; these connections are protected by a bell signal; trains of the New York & Ottawa railway come to a full stop before crossing; the signal is in plain view of trains approaching on the Rutland railroad for a long distance; all trains approach under control, but do not come to a stop if the signal is in their favor; 1 track of the Mohawk & Malone railroad (operated by The New York Central & Hudson River Railroad Company) at Tupper Lake: the crossing is protected by semaphore signals and all trains are required to come to a full stop. The only interlocking plant maintained is at the grade crossing of the United States & Canada railroad at Helena.

All trees and brush on the right of way have been cut; considerable old logs, stumps, and rubbish remain on the portion where the road runs through the forest. The fences are of wire and are not maintained through the forest; those on other portions of the road are in fair to good condition.

The grade crossings of highways are very well graded, planking properly maintained, and are protected by signs of the finger board and X design, suit-

ably located and properly painted. Wooden-slat cattle guards with proper guard fences are maintained at the crossings of highways where the right of way is fenced. There are 41 grade crossings of highways in all; they are protected by crossing-signs only.

The movements of trains are governed by the telegraphic train order system, semaphores being erected at telegraph stations to stop trains for orders when necessary.

The station buildings, while generally small, are apparently sufficient for the requirements, and are in fair to good repair; they are clean and neat; water for drinking is provided and time-tables posted in the waiting rooms. The station platforms are of plank and gravel. The station employees are uniformed.

Since the last inspection (August, 1907) about 11 per cent. of the cross-ties have been renewed; 0.50 mile of second-use 65-lb. rail laid, replacing worn 56-lb. rail; light repairs have been made to ballast on various portions of the road; 1 timber trestle near Derrick and another near Moira have been replaced with steel girders on new concrete masonry; another near Helena has been filled; 1 quite extensive trestle near Santa Clara has been entirely rebuilt, and quite extensive repairs and renewals made of stringers, ties, and guard timbers of other trestles; also of bridges, open culverts, and cattle passes, and 3 cattle passes have been rebuilt; quite a number of timber box culverts have also been rebuilt; new station buildings have been erected at Nyando and Dickinson Center; necessary repairs have been made to other station buildings; and 3 new houses built for the use of section men; 1½ miles of new fence constructed, and 1 mile extensively repaired.

Recommendations: That the narrow cuts on the southerly portion of the road be widened, the embankments on the northerly portion be reinforced, and the sagged embankments raised to proper grade; that new stringers, ties, and guard timbers be put on trestle No. 100-A, near Meno; that trestle No. 110-A, near Bay Pond, which settles as trains pass over, be securely blocked (it is proper to say in this connection that men were working blocking the trestle at the time the inspection was being made, also arrangements made for filling a portion of it); that provision be made for making extensive renewal of cross-ties as early next season as it can be done, and that in the meantime trains be not allowed to make up lost time; that necessary renewal be made of 56-lb. rail where extensively worn; that additional ballast be put in that the road may be kept in proper alignment and surface during the winter season without the excessive shimming which has had to be done in the past; and that all old logs, stumps, and rubbish on the right of way be removed.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

NEW YORK AND PENNSYLVANIA RAILROAD.

Inspected September 23, 1908. Last previous inspection April 8, 9, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the New York & Pennsylvania railroad, and respectfully submit the following report:

The New York & Pennsylvania railroad is a single-track standard gauge road extending from a connection with the main line of the Erie railroad at Canisteo to Ceres, on the line of the Pittsburg, Shawmut & Northern railroad. The portion in the State of New York is from Canisteo to near Genesee, 27.1 miles; there is also 0.18 mile at Ceres. The balance of the road, about 29 miles, is in the State of Pennsylvania. There are about 2½ miles of sidings and yard tracks in New York state. The general alignment of the road is fair. There are many curves, most of them light, the maximum being about 9 degrees. The grades are light but somewhat broken, the maximum grade being about 53 ft. per mile. Many of the cuts are too narrow, and there are several where material is of a quicksand nature and washes

down, filling the ditches. The embankments are of fair width. Drainage is fair except in the cuts above mentioned.

There are no steel or iron bridges or viaducts. The railroad crosses the Canisteo river at Canisteo on a Howe truss bridge of about 90-ft. span; this bridge was built about 8 years ago, is covered, and all timber is in good condition. There are 11 timber trestles of 2 spans each; 4 of 3 spans; 3 of 4 spans; 1 each of 5, 6, and 7 spans; 2 of 8 spans; and 1 of 20 spans; the majority of them have pile bents; the spans are generally 16 ft., with corbeles under the 8 x 16-in. stringers; trussed stringers are used in 2 of the trestles where there are 2 or 3 spans of about 30 ft. Renewals should be made to ties on Nos. 26 and 72, and to guard timbers on Nos. 33 and 72. There are 59 open culverts and cattle passes; the majority of them have timber bent abutments; only 3 have masonry abutments; all have timber stringers except 2 of small span where T-rails are used as stringers. There are also 8 open cattle guard pits; the open culverts and cattle passes are generally in good repair. No. 64, of about 14-ft. span, should be renewed next year as timber is old. Ties should be renewed wholly or in part on Nos. 7, 15, 18, 38, 41, 44, and 50. Guard timbers should be renewed on Nos. 29, 50, 67, and 83. Guard timbers should be properly bolted on No. 38, the timber bent abutments of No. 25 should be braced to prevent crowding in at top, and the dry wall abutment to No. 48 should be repaired. There are about 15 of the openings without guard timbers, most of them small span, but would recommend guard timbers being placed on them. The 18-ft. span culvert immediately north of Greenwood station has had an additional stringer placed under each rail, as recommended in last inspection report. No. 18, a cattle pass of about 6-ft. clear span, needs renewal of cap on one of the timber bents. There are no arch culverts. The box culverts are most of them of timber and are apparently in good condition. A few pipe drains are used.

The cross-ties, 6 x 8 in., 8 ft. in length, are laid at the rate of 2816 to the mile of track; they are fairly well spaced and full spiked; the timber is mixed oak, Georgia pine, cedar, chestnut, and a few hemlock; ties are in fair condition. Renewals should be made, at least 10 per cent. being replaced next season.

The track is laid with 60-lb. steel rail connected by angle plates 24 and 19 in. in length with 4 bolts. The rail is generally in fair condition. Nearly all connections are full bolted; a few bolts are missing, and there are many loose bolts. All main-track switches are split point. Rigid and automatic switch stands are in use and have well painted targets; switch lamps not used, as night trains are not operated. Main-track frogs are generally spring rail; a few are rigid. Derailing switches with targets are in all sidings where their use is apparently necessary.

The ballast is a poor quality gravel, most of it flat stone and dirt; there has been quite an amount of ballast of this character placed this season, some of it not yet under track at the time of inspection. Much of the distance needs ballasting, and until this is done the alignment and surfacing of track can not be kept up in proper condition. The alignment and surfacing of track are not as good as they should be, due chiefly to the lack of suitable ballast.

The track sections are about 7 miles in length, and the force consists of a foreman and 6 laborers on each. They are provided with flags and lanterns.

There are no grade crossings of steam or electric railroads. There are no interlocking plants.

The right of way is not well cleared, much small brush remaining on it. The fences are not well maintained, and for part of the distance are lacking.

The highway crossings are well graded and properly planked and are protected by signs of the diamond or banner form; the banner form are old signs and are being replaced with diamond form signs as repairs are made. No cattle guards are maintained except the open-pit guards at private crossings, noted under open culverts and cattle passes. No whistle-posts are maintained.

Trains are operated by the telephone train order system.

The stations are small, frame, combination passenger and freight in fair repair, clean and neat at time of inspection. The plank platform at Rexville station needs repairs and there should be a station sign placed on the building.

A frame addition has been made at Canisteo car shops. There have been about 15,300 cross-ties renewed in the last year on the entire road; 85 per cent. of them Georgia pine, the balance oak and hemlock.

Recommendations: That the ditches be opened and cleaned through the cuts where material has washed in; that necessary repairs be made to the timber trestles, open culverts, and cattle passes as indicated in foregoing report; that missing track bolts be supplied and the loose ones made tight; that additional ballast be put on so that track may be kept in proper alignment and surface; that the brush remaining on the right of way be cut and removed; that fences be put in proper repair; that cattle guards with proper wing-guard fences be put in at each boundary of all highways crossed at grade; and that the platform be repaired at Rexville station and a station sign be shown at that point.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

NEW YORK CENTRAL AND HUDSON RIVER RAILROAD.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the lines and portions of lines of the New York Central & Hudson River railroad that are in this district, and respectfully report as follows:

Harlem Division.

Inspected August 25, 26, 1908. Last previous inspection September 10, 11, 12, 1906.

This division extends from the New York city line at Wakefield to Chatham, and has 114.75 miles of first main track, 39.37 miles of second main track from Wakefield to Brewster, and 51.20 miles of sidings and yard tracks; the Lake Mahopac branch extends from Golden's Bridge to Lake Mahopac, 7.22 miles, with 1.46 miles sidings. The main line is considerably crooked, but the curves are generally light, the maximum being 4 degrees 55 minutes at White Plains; the grades are light and regular, the maximum being 51 ft. per mile for about $\frac{1}{4}$ mile near Martindale. On the Lake Mahopac branch the maximum curve is 8 degrees at Golden's Bridge, with a maximum grade of 117 ft. per mile near Somers Center. The cuts and embankments are generally of full width and proper slopes; the ditches are in good condition: a few however on the Lake Mahopac branch, where line was recently changed on account of New York water supply reservoir submerging the old line, need cleaning. Sub-drains have been used in the ditches of wet cuts to some extent, with beneficial results.

The steel and iron bridges are in good condition except that the paint on some of them is poor; all are of sufficient strength for the loads required to be carried. The masonry is good; the south abutment of bridge No. 114 indicates failure and is to be rebuilt at once. The ties and guard timbers are of standard dimensions and properly maintained. Inside guard rails are on all. There are no wooden bridges excepting for overhead highway and farm crossings and many bridges for that purpose are of iron; all are in proper condition, and with all other overhead obstructions less than 21 ft. above the track are protected by warning signals: many of such signals have "ticklers" tangled or missing, needing attention. The only timber trestle in the main-line track consists of 2 spans of pile bents where there had been a washout; this is of proper construction and the timber sound. The open culverts and cattle passes are in good condition, with good masonry, and nearly all I-beam stringers. The ties and guard timbers are of standard dimensions and in sound condition. The stone and concrete arch and box

culverts and the iron-pipe drains are apparently in good condition; many of the open culverts and cattle passes that formerly existed have been replaced with arch or concrete box culverts or have been covered with metal and concrete and the track ballasted over them, thus eliminating the openings to grade.

The cross-ties are 6 x 9 in., 8 ft. long, and are in good condition; on the main line they are 38 per cent. yellow pine and the balance oak; on the Lake Mahopac branch 25 per cent. yellow pine and the balance chestnut; they are evenly spaced and full spiked. On curves the ties on the outer side of the rail are double spiked except where shoulder tie-plates are used; tie-plates have been put on most curves, and on all sharp ones. The ties are laid at the rate of 2816 to the mile of track.

On the main line 123.74 miles are laid with 80-lb. steel rail, and 30.38 miles with 65-lb. rails; all connected by 36-in. angle plates with 6 bolts. The Lake Mahopac branch has 1.65 miles of 80-lb., and 5.57 miles of 65-lb.; all connected by 36-in. plates with 6 bolts. Connections are full bolted and bolts tight. The 80-lb. rail is in first-class condition; the 65-lb. rail, while in very fair condition, is rather light for the heavy power the company desires to use on the main line and is to be replaced with the heavier rail.

All main-track switches are split point and most stands rigid; the targets are in good condition; many stands have high targets, and at outlying and obscured points are protected by distant signals interlocked with the switch stands. On the portion of the road where there are automatic electric signals the switches are electrically connected with such signals. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. Practically all main-track frogs are spring rail and in good condition. Derailing switches are in all sidings connecting with the main track on which cars are left standing, where the grade descends toward the main track. All the stands have proper targets, and in most cases are interlocked with the main-track switch stand.

The main line from Wakefield to Brewster, about 39 miles, has both main tracks well ballasted with broken stone; the remainder of that road and the Lake Mahopac branch are ballasted with gravel and cinders in from fair to good quantity. The alignment and surfacing of the main-line track are first class, of the Lake Mahopac branch good, and the outer rail on curves properly elevated for the speed at which the trains are scheduled.

The average length of the sections is 4.23 miles, and the force employed is a foreman and 4 men in the winter and 7 men in the summer; on the Lake Mahopac branch there is a foreman and 4 men in the winter and 6 men in the summer. Each gang is furnished with flags, lanterns, and torpedoes for protecting its work, and all portions of the road are patrolled daily by some member of the section force who works a portion of the time with the regular gang.

The main line is crossed by the following named railroads: 1 track of the Union railway (electric) at White Plains; there are no derailing switches in the track of the electric road but a proper netting over the trolley wire; 1 track of the Central New England railroad at Millerton and another track of the same railroad at Boston Corners: each of the crossings is protected by flagman and gates and all trains are required to come to a full stop before crossing; the Lake Mahopac branch is crossed by the single track of the Putnam division of the New York Central & Hudson River railroad at Lake Mahopac: the crossing is protected by semaphore signals and all trains are required to come to a full stop before crossing. The only interlocking plants maintained are at North White Plains and at Ghent.

The right of way is free from trees, brush, and rubbish, and is fenced with wire and stone wall, much of the fence in poor condition. It appears that when the right of way was originally obtained, in many cases property owners agreed to maintain fences, and in nearly all instances they failed to keep the fences in anything like good condition.

The highway crossings are all properly graded, planking in good condition, and protected by signs of the diamond or triangular form. Some were observed, and the attention of the officials of the railroad company who were

with your inspector directed to them, that are in need of re-painting. Metallic-slat cattle guards with proper guard-fences are maintained at each boundary of the highways crossed at grade. Of the main line crossings, 7 are protected by flagmen, 17 by flagmen and gates, 20 by electric bells, and 65 by crossing-signs; on the Lake Mahopac branch 1 is protected by flagman and 7 by crossing-signs.

On the main line from Wakefield to Brewster the movements of trains are governed by automatic electric block signals located about a mile apart; from that point to Chatham the movements are governed by the telegraphic block system.

The station buildings are in very good repair, waiting rooms clean and neat; water for drinking is provided and time-tables posted in most waiting rooms. Fire extinguishers are furnished at all stations, and at those where there is a fire system hose is kept for protection against fire. The platforms are of plank, gravel, stone screenings, and concrete, and are well maintained. The station grounds are well kept, and at a few of the more important ones are lawns, with shrubs, flowers, and ornamental plants. At stations where there is a water system sanitary closets are provided; at others, outside closets, fairly maintained. All station employees are uniformed and wear a badge indicating their employment.

The principal repairs and improvements noted as made since the last inspection (September, 1906) are as follows: About 19 per cent. of the cross-ties of the main line and 10 per cent. of those on the Lake Mahopac branch have been renewed; 37.4 miles of 80-lb. rail have been laid in the main-line track, replacing lighter, worn rail, and 5.6 miles of relaying 65-lb. rail on the Lake Mahopac branch, replacing worn rail; 14.5 miles of main-line track have been re-ballasted with stone and 20 miles with cinders, and 4½ miles of the Lake Mahopac branch with cinders; 1 cattle pass of the main line has been filled, 1 box culvert replaced with iron pipe, the masonry to 2 bridges rebuilt, and 176 lin. ft. of retaining wall constructed; 14 minor station and section buildings constructed; 4 steel bridges repaired; 12 miles of main-line fence rebuilt, 3 miles repaired, and 1 mile of new fence built on the Lake Mahopac branch; the double tracking of the road completed from Golden's Bridge to Brewster, 8.2 miles, and about 20 miles of additional sidings constructed; minor repairs have been made to station and other buildings, and those needing it re-painted; 4 iron bridges have also been re-painted.

Recommendations: That necessary cleaning of ditches be done on the Lake Mahopac branch; that the warning signals at overhead obstructions be put in proper condition; that necessary repairs be made to fences; and that the dim crossing-signs be re-painted.

Putnam Division.

Inspected August 28, 1908. Last previous inspection September 11, 1906.

The main line extends from the New York city line near Lincoln to Putnain Junction, with 47.56 miles track and 11.30 miles of sidings and yard tracks; the Yonkers branch from the New York city line near Caryl to Yonkers, 1.68 miles double track and 0.13 mile siding; and the Mahopac Falls branch from Baldwin Place to Mahopac Falls, 2.05 miles track and 0.26 mile siding. All the lines are crooked and curves sharp, and the curves are steep and considerably broken. On the main line there are several places with maximum curve of 8 degrees, and at East View there is a maximum grade of 143.8 ft. per mile for about 650 ft.; on the Yonkers branch, at Getty Square, a maximum curve of 16 degrees, and at Park Hill, for about 1600 ft., a grade of 90 ft. per mile; at Baldwin Place, on the Mahopac Falls branch, a maximum curve of 12 degrees 9 minutes, and for about ½ mile north a grade of 92 ft. per mile. Some of the cuts of the main line are rather narrow, especially the rock cuts; in some cases the slopes of cuts are upheld by retaining walls; the roadway is fairly well drained and there are some sub-drains in wet cuts; the embankments are of good width and proper slopes. On the Yonkers branch there is much retaining wall used to uphold slopes, all in good condition; the embankments are of proper width and the roadway well drained. The Mahopac Falls branch is well graded and properly drained.

Bridge No. 27 on the main line is supported on timber bents, there being no masonry; in secure condition. No. 32 is a light structure and has timber bent in center to strengthen it pending renewal. No. 61 is rather light and is to be strengthened. Aside from these, all the bridges are in good condition, except quite a number of them would be benefited by an additional coat of paint; the masonry is very fair; ties and guard timbers of standard dimensions and well maintained; inside guard rails are on all.

The only wooden bridges are for overhead highway or farm crossings, and on the Yonkers and Mahopac Falls branches there are none; all low ones, as well as any other overhead obstructions less than 21 feet above the track, are protected by warning signals, some of which have "ticklers" tangled or missing.

There are no timber trestles in the roadway of the Yonkers or Mahopac Falls branches; there are 3 small ones used in crossing streams in the main line: they are of standard construction and in good repair. There is also a framed bent trestle 915 ft. in length and 30 to 40 ft. in height in the roadway of main line: it is getting somewhat old, and while yet in safe condition the work of filling a portion of it and rebuilding the balance is in progress. Nearly all the open culverts and cattle passes of the main line have fair to good stone masonry: 1 has abutments of wood; some of the stringers are l-beams, some rail, and others timber; all are in good condition and sufficient; the ties and guard timbers are of standard dimensions and well maintained. There are no cattle passes or culverts open to grade on the Yonkers branch. On the Mahopac Falls branch there are 5 small openings with stone masonry, rail stringers, standard ties, and guard timbers in fair to good repair. The arch, box, and iron-pipe culverts are apparently all in proper condition.

The cross-ties are 6 x 9 in. 8 ft. in length, in good condition, necessary renewals having been made; on the main line 25 per cent. are yellow pine, 15 per cent. oak, and 60 per cent. chestnut; on the Yonkers branch 30 per cent. yellow pine, 25 per cent. oak, and 45 per cent. chestnut; on the Mahopac Falls branch 40 per cent. yellow pine, 45 per cent. oak, and 15 per cent. chestnut; the ties are laid at the rate of 2816 to the mile of track; tie-plates are used on sharp curves and some on soft wood ties elsewhere, and the ties on the outer side of the rail on curves are double spiked.

On the main line the track is steel rail, 2.19 miles 80-lb., 31 miles 65-lb., and 14.37 miles 60-lb.; the 80-lb. and 65-lb. connected with angle plates 36 in. long with 6 bolts, and the 60-lb. with 22-in. plates, 4 bolts; the two branches are laid with 60-lb. rail, connected with 22-in. plates, 4 bolts. On the main line the 80-lb. rail is in good condition, the 65-lb. rail in very fair condition; the 60-lb. rail is considerably worn and is being replaced with relayer rail of heavier pattern selected from the rail taken up on more important lines. The 60-lb. rail on the Yonkers branch is in very fair condition for the light power and rolling stock used on this branch. The rail on the Mahopac Falls branch, while somewhat worn, is in fair condition for the very light traffic and moderate speed maintained; no passenger trains are run over it and with rare exception but one freight train in each direction daily. All the connections are full bolted on all the lines, and practically no loose bolts were observed.

All main-track switches are split point and have rigid stands with proper targets. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. Spring rail frogs are used with the 80- and 65-lb. rail; there are some rigid frogs used with the 60-lb. rail; all are in proper condition. Derailing switches are in all sidings where their use appears necessary, and are either interlocked with the main-track switch stands or have stands with proper targets.

The main line is ballasted with gravel and cinders, generally in fair quantity; the Yonkers branch with gravel and cinders in good quantity; on the Mahopac Falls branch there is but little ballast and that gravel and cinders. The alignment and surfacing of the main line and Yonkers branch tracks are first class, and of the Mahopac Falls branch fair for the traffic of that line; the outer rail on curves is properly elevated for the speed at which the trains are scheduled.

The main line is divided into sections of average length of 5.17 miles, and maintained by average force of foreman and 5 men in summer and 3 men in winter; the branches are maintained as separate sections, with foreman and 6 men in summer and 5 men in winter on Yonkers branch, and foreman and 5 men in summer and 3 men in winter on Mahopac Falls branch. Each gang is furnished with necessary flags, lanterns, and torpedoes, and all portions of the track are patrolled daily.

One track of the Union railway (electric) crosses the main line at grade at Dunwoodie; there are no derailing switches in the track of the electric road but there is a netting over the trolley wire; 1 track of the Union railway at Nepperhan: there are derailing switches in the track of the electric road and a proper netting over the trolley wire; 1 track of the Tarrytown, White Plains & Mamaroneck railway (electric) at Elmsford: there are derailing switches in the track of the electric road but the copper trough over the trolley wire is much too short to be of use; 1 track of the Lake Mahopac branch of the Harlem division at Lake Mahopac: the crossing is protected by semaphore signals and all trains are required to come to a full stop. No interlocking plants are maintained.

The right of way is free from trees, brush, and rubbish, and fenced with wire and stone wall; portions of fence are considerably out of repair and in some cases lacking.

The highway crossings are very well graded, properly planked, and protected by signs of the diamond or triangular form, suitably located and paint fair. Metallic-slat cattle guards with suitable guard-fences are maintained at each boundary of the highways crossed at grade. On the main line 4 of the crossings are protected by flagmen, 4 by flagmen and gates, 11 by electric bells, and 31 by crossing-signs; the 1 crossing on the Yonkers branch is protected by a flagman; and the 3 on the Mahopac Falls branch by crossing-signs.

The movements of trains on the main line and the Mahopac Falls branch are governed by the telegraphic block system; on the Yonkers branch by automatic electrical block signals.

The station buildings, while in many cases rather small, are apparently sufficient for the requirements, and are in good repair, clean and neat, and the sanitary condition good. Fire extinguishers are furnished at all stations. The station platforms are of plank, gravel, stone screenings, and concrete, properly maintained. The station grounds are well kept. At stations where there is a water supply sanitary closets are maintained; at other stations, outside closets, in fair to good condition. All station employees are uniformed and wear a badge indicating their employment.

Since the last inspection (September, 1906) 20 per cent. of the cross-ties of the main line and the Yonkers branch have been replaced and 9 per cent. of those on the Mahopac Falls branch; 18 miles of relayer 65-lb. rail have been put in the track of the main line, replacing worn 60- and 65-lb. rail, and the entire Mahopac Falls branch relaid with 60-lb. rail selected from that taken out on other more important lines; 20 miles of the main-line track, the entire Yonkers branch, and 0.4 mile of the Mahopac Falls branch have been re-ballasted with cinders; 1 new steel bridge 100 ft. in length has been put in on the main line, replacing a lighter structure, and the masonry rebuilt; 1 timber trestle rebuilt; 2 new stations have been erected on the main line and 1 station building; 2 bridges have been re-painted and some other painting done to station and other buildings; 11 miles of new fence have been erected and 3 miles extensively repaired; 1 new water tank has also been erected; retaining wall to the extent of 1236 lin. ft. to uphold slopes has been built on the main line, and necessary repairs have been made to bridge, culvert, and trestle floors.

Recommendations: That the warning signals at overhead obstructions be put in proper repair; that necessary renewal of worn 60-lb. rail be made on the main line; and that the fences be put in proper condition.

Hudson Division.

Inspected August 27, 1908. Last previous inspection September 12, 1906.

The portion of the Hudson division in this district extends from the New York city line near Mount St. Vincent to Rensselaer, 127.75 miles, all double track, and has 16.15 miles of third track and 1.47 miles of fourth main track,

and approximately 93 miles of sidings and yard tracks. The road is very crooked, following as it does for most of its length close alongside the Hudson river where the hills are very steep; most of the curves are fairly light: the maximum is 7 degrees 5 minutes, located at Poughkeepsie; the grades are light and for a considerable portion of the distance practically level: the maximum is 39 ft. per mile for about 800 ft. at Tarrytown.

The cuts and embankments are generally of good width and proper slopes and the roadway well drained; in many cases retaining wall is used to uphold the slopes of cuts or embankments, and are well constructed. A large amount of work has been done toward grading to make it a 4-track road as far north as Croton; that work appears to be temporarily stopped; work is in progress for 2 additional main tracks for about 2 miles, at Poughkeepsie.

There are several tunnels on this line, as follows:

Location.	Nature.	Length.	Condition.
Oscawana	Natural rock	223 ft.	Good
Crugers	" " "	63 "	"
Little (north of Peekskill)	" " "	71 "	"
Tower 40	Concrete lined	274 "	"
Ft. Montgomery	Natural rock	332 "	"
Garrison	" " "	486 "	"
Breakneck	" " "	515 "	"
New Hamburg	" " "	834 "	"
Camelot	" " "	113 "	"
Morton's	" " "	156 "	"
Garretson's	" " "	91 "	"

The Ft. Montgomery tunnel is being widened and lined with concrete at the north end. The Breakneck tunnel has been lined at the south end. The Garrison tunnel was widened a short time ago.

The steel and iron bridges are all in good condition and sufficient for the requirements. Several were observed that would be benefited by an additional coat of paint, to prevent injury from rust. The masonry is first class, the ties and guard timbers of standard dimensions and well maintained; inside guard rails are on all. There are 3 drawbridges: one located at Peekskill, one at New Hamburg, and the other near Tivoli; all are in good condition; they are interlocked and controlled from the block stations and are properly signaled. There are no wooden bridges remaining in the roadway, and most bridges for overhead highway and farm crossings are of iron; all are in proper repair and the low ones protected by warning signals; the "ticklers" to many of the signals are in poor condition and should receive attention. There are no timber trestles remaining. All open culverts and cattle passes formerly open to grade have been either covered with solid flooring of concrete and metal and the track ballasted over them or replaced with iron-pipe or concrete and box culverts and filling. All arch, box, and pipe culverts are apparently in good condition.

The standard cross-ties are 6 x 9 in. 8 ft. in length, and are laid at the rate of 3200 to the mile of track; they are all yellow pine and in good condition, necessary renewals having been made. All curves are double spiked on outside, and all except a very few light ones are tie-plated.

Of main track 272.26 miles are laid with 100-lb., and the remainder, 0.86 mile, with 80-lb. steel rail, connected by angle plates 36 in. in length with 6 bolts; the rail is in first-class condition, connections full bolted and bolts tight. All main-track switches are split point with rigid stands; practically all are connected with the interlocking towers, and the few that are not are electrically locked and under control of the towerman. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. The main-track frogs are spring rail and in good condition. Derailing switches are in all sidings connecting with the main track upon which cars are left standing, and in most cases are interlocked with the main-track switch.

The track is ballasted with broken stone in good quantity. The alignment and surfacing of the track are first class, and the outer rail on curves properly elevated for the fast speed at which the trains run.

The sections average 2.71 miles in length and the force employed upon each consists of a foreman and 4 men during the winter season and 8 men in

summer. On 21 of the sections the track is patrolled daily by some member of the section force who works the balance of the time with the gang, and on the remaining 26 sections there are track walkers who patrol the road at all times. In addition to this there are 18 tunnel watchmen employed, 2 watching slopes, and 3 watching tracks at places where danger might be anticipated. Each section gang is furnished with flags, lanterns, and torpedoes.

One track of the Cold Spring Iron Company's railroad is crossed at grade at Cold Spring: the crossing is protected by a modern and complete interlocking plant; two tracks of the Hudson branch of the Boston & Albany railroad at Hudson: the crossing is protected by a modern and complete interlocking plant.

There are 88 interlocking plants, operated from towers, controlling the movements of trains at crossovers, switches, yards, etc.

The right of way is free from trees; some small brush has been left in places to protect slopes. Fences are only maintained opposite grazing land, of which there is not very much along the line of the road, and some fences were observed needing repair.

The highway crossings are properly graded, planking in good condition, and are protected by signs of the diamond form; cattle guards are only maintained at crossings where there are fences and where flagmen are not stationed; 4 highway crossings are protected by flagmen, 42 by flagmen and gates, 2 by electric bells, and 11 by crossing-signs only.

The movements of trains are governed by the manual controlled system of block signals.

The station buildings are in good condition; waiting rooms clean and neat; water for drinking is provided and time-tables posted. Fire extinguishers are furnished at all stations, and at those where there is a fire system hose is kept for protection against fire. The station platforms are of gravel, stone screenings, and concrete, and well maintained. At the stations where there is a water system there are sanitary closets, and at the other stations outside closets, in fair condition. The station grounds are well kept, and at the more important ones are lawns, with shrubs, flowers, and ornamental plants. All station employees are uniformed and wear a badge indicating their employment.

The principal repairs and improvements noted as made since the last inspection (September, 1906) are as follows: About 17 per cent. of the cross-ties have been renewed; 44 interlocking plants have been improved and extended; 34 miles of new 100-lb. rail have been laid, replacing worn 100-lb. rail, and 1.5 miles replacing worn 80-lb. rail; 123 miles single track have been re-ballasted with broken stone; 3 new steel bridges, total length 208 feet, have been put in, replacing lighter bridges; 2 rail and concrete top culverts rebuilt; 2 stone culverts rebuilt; 1 new station and 12 other buildings erected; 8 extensive steel bridges have been re-painted; 20 miles of new fence constructed, and 5 miles repaired; 8 miles of additional tracks have been added to New Harmon yard; 2 miles of new passing track put in at Barrytown and Crawbuckie; a new line constructed at Tivoli, reducing curvature; 11 miles of third and fourth freight tracks constructed between Castleton and Rensselaer; 4½ miles of river slopes protected by heavy rip-rapping; 1236 lin. ft. of retaining wall constructed to uphold slopes; 3 new water tanks erected and 1 track tank put in; necessary repairs have been made to floors of bridges, to stations and other buildings, and necessary re-painting done.

Recommendations: That the warning signals at overhead obstructions be put in proper condition, and necessary repairs made to fences.

Mohawk Division.

Inspected August 29, 31, September 1, 2, 3, 4, 1908. Last previous inspection September 17, 18, 19, 20, 21, 1906.

The main line extends from Rensselaer to Minoa, with 140.45 miles each first and second main tracks, 139.70 miles each third and fourth main tracks, and 261.12 miles sidings and yard tracks; the Troy & Greenbush and Troy Union branch extends from Rensselaer to Green Island, 6.91 miles each first and second tracks, 11.72 miles sidings and yard tracks; the Troy

& Schenectady branch from Green Island to Schenectady, 20.90 miles single track, 14.32 miles sidings and yard tracks; the Tivoli branch from West Albany to Albany, 1.24 miles single track, 0.88 mile sidings; the Mohawk & Malone branch from Herkimer to Malone, 173.33 miles single track, 45.84 miles sidings and yard tracks; the St. Lawrence & Adirondack branch from Malone to the Canada line, 10.25 miles single track, 4.22 miles sidings and yard track; the Hinckley branch from Prospect Junction to Hinckley, 2.96 miles single track, 2.07 miles sidings and yard tracks; the Saranac Lake branch from Lake Clear Junction to Saranac Lake, 5.89 miles single track, 1.38 miles sidings and yard tracks; the Raquette Lake branch from Clearwater Junction to Raquette Lake, 18.13 miles single track, 3.33 miles sidings and yard tracks; the West Shore railroad from Rensselaer to Troy, 145.42 miles each first and second main tracks, 12 miles third track, 15.44 miles fourth track, 71.67 miles sidings and yard tracks.

The main-line curves are mostly light, the maximum being 7 degrees 24 minutes east of Little Falls; the grades, aside from the Albany and Schenectady hills, are light and for much of the distance practically level; west from Albany the maximum is 86 ft. per mile. The Troy & Greenbush and Troy Union branch is very crooked, but most curves are light, a maximum of 4 degrees 57 minutes south of the Iron Works; the grades are light, the maximum 18 ft. per mile north of Forbes. On the Troy & Schenectady branch the curves are all light, one of 4 degrees west of Green Island; the maximum grade of 56½ ft. per mile west of Green Island; otherwise grades are light. The Tivoli Hollow branch is used only for switching purposes, and the curves and grades are heavy; in the Albany yard the maximum curve is 27 degrees 10 minutes; west of Albany the maximum grade is 149 ft. per mile. On the Mohawk & Malone branch there are many sharp curves and long and steep grades; the maximum curve is 10 degrees 20 minutes north of Kast bridge, and a grade of 119.8 ft. per mile north of Chasm Falls. The curves on the St. Lawrence & Adirondack branch are all light, and one long, steep grade of 105 ft. per mile descending north from Malone. On the Hinckley branch the curves are light, a maximum near Hinckley being 16 degrees; the grades are generally moderate, one of 64.4 ft. per mile north of Prospect Junction. There are no sharp curves on the Saranac Lake branch, a 4 degree curve north of Lake Clear Junction being the maximum; the grades are broken and steep, one of 103 ft. per mile north of Lake Clear Junction. The Raquette Lake branch is very crooked and many sharp curves, and the grades are heavy and broken; west of Bald mountain a maximum curve of 11 degrees, and north of Rondex a grade of 138.2 ft. per mile. The general alignment of the West Shore branch is first class and curves and grades light, the maximum curve of 5 degrees 20 minutes east of Canajoharie, and the maximum grade of 34 ft. per mile west of Fort Plain.

The cuts and embankments of all the lines are of good width and proper slopes, and the drainage generally good; sub-drains are used in many wet cuts, with excellent results. On the Troy & Schenectady branch, east of Cohoes, there is pile docking supporting the slope of a cut: this docking is getting in condition that it will need renewal very soon. On the Mohawk & Malone branch there are many large boulders lying on the slopes of cuts north of McKeever, and a few were observed on the slopes and in the ditches elsewhere: these should be promptly removed. A similar condition exists on the Raquette Lake branch, to which the attention of the officials who accompanied your inspector was directed: these should also be removed. On the West Shore railroad there are a number of cuts through material of a clay or quicksand nature where the slopes are upheld by pile docking or retaining wall; retaining wall is also used to support embankments at very many places where the railroad runs close alongside the canal: all the retaining walls are in good condition, the timber docking in fair condition and necessary repairs arranged for.

The steel and iron bridges are generally in first-class condition, with good masonry and standard ties and guard timbers, and inside guard rails maintained; quite a number were observed on the various lines that would

be benefited by an extra coat of paint. One bridge was observed on the West Shore railroad, west of Oneida, No. 391, where the masonry is not in first-class condition and timber bents have been placed in front of it for additional support; it is however in safe condition and the masonry is to be rebuilt. The only timber span bridges are for overhead highway and farm crossings, and most such bridges on the important lines are of iron; all are properly maintained and these, as well as any other overhead obstructions less than 21 ft. above the rail, are protected by warning signals: many of these were observed, and attention directed to them, where some of the "ticklers" were either missing or had become tangled.

There are no timber trestles remaining on the main line, Troy & Greenbush and Troy Union branch, Tivoli Hollow branch, St. Lawrence & Adirondack branch, Saranac Lake branch, Raquette Lake branch, or the West Shore railroad. On the Troy & Schenectady branch there is a temporary trestle at Cohoes where an arch culvert is being put in: it is in proper condition, and will remain there but a short time. There remains one framed bent trestle of 10 spans on the Mohawk & Malone branch north of Prospect Junction: it is in first-class condition throughout. On the Hinckley branch there is a pile trestle of 485 ft. in length across West Canada creek: the structure is getting old but has been recently repaired and is in thoroughly safe condition. On most of the lines the open culverts and cattle passes that formerly existed have been either covered with concrete and metal and the track ballasted over them or replaced with concrete arch or box culverts or iron-pipe and filling. There are none remaining open to grade on the main line, Troy & Greenbush and Troy Union, the Tivoli Hollow branch, the Hinckley branch, or the Saranac Lake branch. The few remaining on the Troy & Schenectady branch have good masonry, I-beam stringers, and they as well as all others on other parts of the road have standard ties and guard timbers properly maintained. On the Mohawk & Malone branch there yet remain a few: they have good masonry, some have I-beam and others timber stringers, and all are sufficient and in good condition. On the St. Lawrence & Adirondack branch there are 5 that are constructed entirely of timber, in proper repair. On the Raquette Lake branch there yet remain 5 entirely of timber: these are getting old and will need renewal or replacing in the near future. There is but one remaining on the West Shore railroad, that has good masonry and I-beam stringers. The masonry, arch and box and iron-pipe culverts on all the lines are apparently in good condition. On the Mohawk & Malone branch there yet remain 5 timber box, and on the St. Lawrence & Adirondack and Raquette Lake branches a few timber box culverts; those on the Mohawk & Malone and the St. Lawrence & Adirondack branches are yet in sound condition; those on the Raquette Lake are old and failing, and should be replaced.

The cross-ties are all of standard dimensions, 6 x 8 in. and 7 x 9 in. 8 ft. long, and in good condition. On the main line all are 7 x 9 in., and 99 per cent. yellow pine and 1 per cent. oak; on Troy & Greenbush and Troy Union branch, 85 per cent. yellow pine, 15 per cent. cedar; on Troy & Schenectady branch, 85 per cent. yellow pine, 15 per cent. cedar; on Tivoli Hollow branch, 90 per cent. yellow pine, 10 per cent. cedar; on Mohawk & Malone branch, 53 per cent. yellow pine, 45 per cent. cedar, 2 per cent. oak; on Hinckley branch, 5 per cent. yellow pine, 95 per cent. cedar; on Saranac Lake branch, 52 per cent. yellow pine, 45 per cent. cedar, 3 per cent. oak; Raquette Lake branch, 11 per cent. yellow pine, 64 per cent. cedar, 25 per cent. oak; St. Lawrence & Adirondack branch, 53 per cent. yellow pine, 45 per cent. cedar, 2 per cent. oak; West Shore railroad, 80 per cent. yellow pine, 19 per cent. cedar, 1 per cent. oak. The cross-ties in the main line are laid at the rate of 3050 to the mile of track; on the Tivoli Hollow branch, 2465 to the mile of track; on all the other lines 2816 to the mile of track. They are very well spaced on all the lines and are full spiked. Tie-plates are used on sharp curves, and on the important lines on most of the lighter ones, and in all cases where a shoulder tie-plate is not used the curves are double spiked on the outside; tie-plates are used in many cases on soft wood ties on tangents where traffic is heavy. The rail

used is all steel, and is laid and connected as follows: main line, 307.51 miles 100-lb., 252.79 miles 80-lb., 36-in. angle plates, 6 bolts; Troy & Greenbush and Troy Union branch, all 80-lb., 36-in. angle plates with 6 bolts, and 22 in. continuous rail joints with 4 bolts; Troy & Schenectady branch, 18.99 miles 65-lb., 1.91 miles 80-lb., the 80-lb. rail has 36-in. angle plates with 6 bolts, and the 65-lb. 36-in. angle plates with 6 bolts and 22-in. continuous rail joints with 4 bolts; Tivoli Hollow branch, all 80-lb., 36-in. angle plates, 6 bolts; Mohawk & Malone branch, 19.48 miles 80-lb., 150.83 miles 75-lb., 3.01 miles 65-lb., the 80-lb. rail has 36-in. angle plates with 6 bolts, the 75-lb. 30-in. angle plates with 6 bolts, and the 65-lb. 36-in. angle plates with 6 bolts; St. Lawrence & Adirondack branch, all 75-lb., 30-in. angle plates, 6 bolts; Hinckley branch, all 60-lb., 22-in. angle plates, 4 bolts; Saranac Lake branch, 3.25 miles 75-lb., 2.64 miles 60-lb., the 75-lb. rail has 30-in. angle plates with 6 bolts, the 60-lb. 22-in. angle plates with 4 bolts; Raquette Lake branch, 6.07 miles 67-lb., 12.06 miles 65-lb., the 67-lb. has 36-in. angle plates, 6 bolts, the 65-lb. 22-in. angle plates, 4 bolts; West Shore railroad, 307.64 miles 80-lb., 10.64 miles 67-lb., the 80-lb. is partly connected by angle plates 40-in. in length with 6 bolts, 36-in. in length with 6 bolts, 24-in. in length with 4 bolts, and 22-in. continuous rail joints with 4 bolts, the 67-lb. has 36-in. angle plates with 4 bolts. The rail in tracks 1 and 2 of the main line is in first-class condition; in tracks 3 and 4, used only for freight trains, there is some worn 80-lb. rail, now being replaced. The rail in the tracks of the Troy & Greenbush and Troy Union and the Troy & Schenectady branches is in very good condition. In the Tivoli Hollow branch it is some worn, but all right for the purpose used, merely as a switching track. The 80-lb. rail in the Mohawk & Malone track is in good condition, as is also most of the 75- and the 65-lb. rail, and necessary renewals are now being made. The rail in the track of the St. Lawrence & Adirondack branch is in very fair condition. That in the Hinckley branch is somewhat worn, but in very fair condition for the light traffic and moderate speed maintained. The 60-lb. rail in the Saranac Lake branch is considerably worn and is being replaced as necessary. There are in the track of the Raquette Lake branch a considerable number of rails that have been badly worn by slipping drivers and should be replaced. The 67-lb. rail in the West Shore track is considerably worn and arrangements are made for replacing it. All the rail connections on all the lines are full bolted and bolts tight.

All main-track switches are split point and most have rigid stands; all have proper targets, well painted. All main-track switches of the main line and Troy & Greenbush and Troy Union branch are either interlocked with the towers or electrically locked and under the control of the towermen. Outlying switches of the Troy & Schenectady and those at obscure places on the more important lines are protected by distant signals or high targets. Switch and semaphore lamps of the main line, the Troy & Greenbush and Troy Union, the Troy & Schenectady, and of the West Shore east of Hoffmann's show red light for danger and green for safety, yellow being used for caution; on the remaining portion of the West Shore and on the other lines they show red light for danger and white for safety, green being used for caution: it is the intention in the near future to change these to the colors used on the main line. Nearly all main-track frogs are spring rail and in proper condition. Derailing switches are in all sidings connecting with the main track upon which cars are left standing, where the grade descends toward the main track, and in most cases on the more important lines are interlocked with the main-track switch.

All but about 50 miles of tracks Nos. 1 and 2 of the main line are well ballasted with broken stone; some broken stone has also been used on tracks 3 and 4; the remaining portion of the main line is ballasted with gravel in fair to good quantity; the Troy & Greenbush and Troy Union is well ballasted with broken stone; the Troy & Schenectady with gravel, in good quantity; the Tivoli Hollow with gravel and cinders, in fair quantity; 11 miles of the Mohawk & Malone are ballasted with broken stone, this stone being used north from Remsen; about 12 miles with slag, most of it being on Big Moose hill; the balance of the road is ballasted with sand and gravel, in

fair to good quantity; on the St. Lawrence & Adirondack the ballast is sand and gravel in fair to good quantity; the Hinckley branch is ballasted with sand, gravel, and cinders, in fair quantity; the Saranac Lake branch with gravel, sand, and cinders, in fair quantity; the Raquette Lake mainly with sand, in fair to good quantity; the West Shore railroad with broken stone and gravel, in medium to good quantity. Some cinders are used on all of them excepting the main line and the Troy & Greenbush and Troy Union branch. The alignment and surfacing of the main line and important branches are first class, and of all the other lines good, and the outer rail on curves properly elevated for the speed at which the trains are scheduled.

The sections are divided and section force employed, as follows: Main line, 2.18 miles, foreman and 6 men in winter and 11 men in summer; Troy & Greenbush and Troy Union branch, 1.84 miles, foreman and 4 men in winter and 6 in summer; Troy & Schenectady branch, 4.14 miles, foreman and 3 men in winter and 5 in summer; Tivoli Hollow branch is part of main line section; Mohawk & Malone branch, 5.09 miles, foreman and 3 men in winter and 5 in summer; St. Lawrence & Adirondack branch, 3.67 miles, foreman and 3 men in winter and 5 in summer; Hinckley branch, 2.96 miles, foreman and 3 men in winter and 5 in summer; Saranac Lake branch, 5.89 miles, foreman and 3 men in winter and 4 in summer; Raquette Lake branch, 6 miles, foreman and 2 men in winter and 4 in summer; West Shore railroad, 3.93 miles, foreman and 5 men in winter and 7 in summer. In addition to the above force there are maintained on the line of the West Shore railroad where there are high slopes of loose rock, or side cuts through heavy clay and quicksand, 5 slope watchmen during the summer and 7 in winter; and when conditions are bad, not only on this but on the other lines, special watchmen are employed; all portions of the track are patrolled daily by some member of the section force who works part of the time with the gang; each section gang is furnished with flags, lanterns, and torpedoes.

No railroads, steam or electric, cross the main line at grade. The Troy & Greenbush and Troy Union is crossed by 1 freight track of the Boston & Albany at Rensselaer: protected by an interlocking plant; 2 tracks of the United Traction Company's railroad (electric) on Second street, 1 on Fourth street, and 2 on River street, Troy: there are no derailing switches in the track of the electric road at either of the crossings nor is there protection over the trolley wire; at each crossing the electric road maintains a flagman. The Troy & Schenectady crosses at grade 1 freight track of The Delaware and Hudson Company at Green Island: protected by a target signal, and all trains are required to come to a stop; 1 track of the United Traction Company's railroad (electric) at Green Island: there are no derailing switches in the track of the electric road and the trough over the trolley wire for protection is too short; the electric railroad company maintains a flagman at this point; 2 tracks of The Delaware and Hudson Company at Schenectady: the crossing is protected by a ball signal and all trains are required to come to a full stop; an interlocking plant is being installed at this place. The Tivoli Hollow branch crosses at grade 2 tracks of the United Traction Company on Broadway, Albany: there are no derails in the track of the electric road nor protection over the trolley wire; when a steam railroad desires to do switching over this track it protects by a flagman. The Mohawk & Malone crosses at grade 1 track of the New York & Ottawa railway at Tupper Lake: the crossing is protected by semaphore signals and all trains are required to come to a full stop. The St. Lawrence & Adirondack crosses 1 track of the Rutland railroad at Malone: the crossing is protected by a ball signal and all trains are required to come to a full stop. The West Shore railroad crosses 1 track of the Elmira & Cortland branch of the Lehigh Valley at Canastota: the crossing is protected by an interlocking plant; 1 track of the Rome branch of the New York, Ontario & Western at Clark Mills: protected by an interlocking plant; 1 track of the Utica division, N. Y., O. & W. Ry. at New York Mills: protected by gates and all trains are required to come to a full stop; 1 track of the Delaware, Lackawanna & Western near Utica: protected by gates and all trains are required to come to a full stop; 2 tracks of the Utica

& Mohawk Valley (electric) on Genesee street, Utica: there are derailing switches in the track of the electric road but the copper trough over the trolley wire is too short; 1 track of The Delaware and Hudson Company's railroad at South Schenectady: protected by an interlocking plant; 1 track of The Delaware and Hudson Company's railroad at Voorheesville: protected by gates and all trains are required to come to a full stop.

On the main line there are 52 interlocking plants, operated from towers, controlling the movements of trains at crossovers, sidings, yards, etc.; on the Troy & Greenbush and Troy Union there are 2, at the east end of Troy station; on the West Shore, 19.

There are no trees remaining on the right of way, and no brush excepting a little of one year's growth on the lines through the Adirondack forest. Fences, mainly of wire, are maintained where there is grazing land alongside; they are not maintained on the lines through the Adirondack forest; the fences are generally in good repair.

The highway crossings are very well graded, planking properly maintained, and are protected by signs of the diamond form except on the West Shore railroad, where a few yet remain of triangular form; they are in good condition and fairly well painted. Metallic-slat cattle guards with proper guard fences are maintained at all grade crossings of highways where there are fences. The crossings are protected as follows:

Line or Branch.	Flagmen.	Gates.	Electric bells.	Crossing signs.	Total.
Main Line	4	50	1	26	81
Troy & Greenbush and Troy Union	2	1	.....	1	4
Troy & Schenectady	.....	5	.....	4	9
Tivoli Hollow	.....	1	.....	.....	1
Mohawk & Malone	.....	2	6	59	67
St. Lawrence & Adirondack	.....	.....	.....	8	8
Hinckley	.....	.....	.....	4	4
Saranac Lake	.....	.....	.....	4	4
Raquette Lake	.....	.....	.....	4	4
West Shore	16	16	5	106	143

The movements of trains on the main line are governed by the Improved Sykes lock and block system, supplemented on the portion of the line between Utica and Hoffmans with intermediate automatic electric signals; the system of intermediate electric signals is being extended; on the Troy & Greenbush and Troy Union branch by automatic electric block signals; on the Troy & Schenectady and the Mohawk & Malone branches by the telegraphic block system; on the West Shore railroad, between block stations M X, west of Mohawk, and F J east of Franfort, where electric cars also operate over the tracks, the movements are governed by the Sykes lock and block system; also by the same system between Rotterdam Junction and Hoffmans; on the electrical portion of the road between Utica and Syracuse by interlocking block stations; elsewhere on the West Shore railroad by the telegraphic block system; on the other lines by the telegraphic train order block system.

The station buildings are generally in good condition, waiting rooms clean and neat, water for drinking is provided, and time-tables posted. Fire extinguishers are kept in all stations, and at those where there is a fire system, hose is kept as protection against fire. The station platforms are of gravel, stone screenings, and concrete and properly maintained. At the stations where there is a water system there are sanitary closets, and at the others, outside closets, in fair condition. The station grounds are well kept, and at the more important ones on the main line are lawns, with ornamental plants, shrubs, and flowers. All station employees are uniformed and wear a badge indicating their employment.

The principal repairs and improvements noted as made since the last inspection (September, 1906) are as follows: In the main-line track about 18 per cent. of the cross-ties have been renewed; on the Troy & Greenbush and Troy Union, the Troy & Schenectady, and the Tivoli Hollow branches, 10 per cent.; on the West Shore railroad, 20 per cent.; on the Mohawk & Malone, 8 per cent.; on the Hinckley branch, 5 per cent.; on the Saranac

Lake branch, 8 per cent.; on the Raquette Lake branch, 7 per cent.; on the St. Lawrence & Adirondack branch, 11 per cent.

Rail has been renewed as follows: 74.04 miles of new 100-lb. rail and 11.56 miles of relayer 100-lb. rail have been laid, replacing worn 80-lb. rail; 6.22 miles of new 80-lb. rail, and 30 miles of relayer 80-lb. rail replacing worn 80-lb. rail; on the Troy & Schenectady 1 mile of relayer 80-lb. rail replacing worn 65-lb. rail; on the West Shore railroad, 138 miles of new 80-lb. rail and 13.5 miles of relayer 80-lb. rail replacing worn 67-lb. rail; on the Mohawk & Malone branch, 6.46 miles of new 80-lb. rail and 6.03 miles of relayer 80-lb. rail replacing worn 75-lb. rail; on the Saranac Lake branch, 2.25 miles of relayer 75-lb. rail replacing worn 60-lb. rail.

Thirty-six miles of main-line track have been re-ballasted with broken stone and 32 miles with gravel; 18 miles of the West Shore railroad with broken stone, 104 miles with gravel, and 27 miles with cinders; 4.5 miles of the Mohawk & Malone with stone, 19 miles with gravel, and 18 miles with cinders; 2 miles of the Saranac Lake branch with cinders; 3½ miles of the St. Lawrence & Adirondack with cinders.

On the main line, bridges Nos. 376 and 378 have been replaced with new bridges, and new ones put in at State street, Liberty street, Union street, Green street, and Front street, Schenectady, eliminating grade crossings, and a new overhead bridge at Amsterdam. On the West Shore railroad a new concrete arch, 25-ft. span, put in at Wolf Hill road, New Scotland; bridge 25-B, a new plate girder solid floor bridge, 35½ ft. in length, at under-crossing of the Delaware & Hudson near South Schenectady; in addition there have been 13 light plate girder bridges replaced with stronger structures, and 3 truss bridges replaced with new bridges calculated to carry with safety the heaviest class of rolling stock and motive power in use. On the Troy & Schenectady branch new bridges eliminating grade crossings have been put in at Center street, Fonda street, Nott street, and Peek street, Schenectady. Necessary repairs and renewals have been made to ties and guard timbers. One timber trestle on the Hinckley branch at Hinckley has been extensively repaired; on the Raquette Lake branch, 2 quite extensive ones replaced with concrete arches and filling.

On the main line, 2 stone culverts have been rebuilt, 19 replaced with iron-pipe, 17 extensively repaired, and 2 filled; on the Troy & Greenbush and Troy Union, 1 has been extensively repaired; on the Troy & Schenectady, 4 replaced; on the West Shore, 8 replaced; on the Mohawk & Malone, 30 replaced and 4 extensively repaired; on the Raquette Lake, 7 timber culverts replaced with iron-pipe and 2 filled; on the St. Lawrence & Adirondack, 3 replaced; the masonry to 1 bridge on the main line has been extensively repaired, to 18 on the West Shore, and 2 on the Mohawk & Malone.

On the main line, 34 new stations and other buildings have been erected, 26 repaired, and 8 re-painted; on the West Shore, 22 new ones constructed, 9 repaired, and 36 re-painted; on the Mohawk & Malone, 6 new ones constructed, 6 repaired, and 41 re-painted; on the Hinckley branch, 1 re-painted; on the Saranac Lake branch, 1 re-painted; on the Raquette Lake branch, 1 repaired; on the St. Lawrence & Adirondack, 1 new one erected; on the main line, 82 iron bridges and 32 signal bridges have been re-painted; on the West Shore, 32; on the Troy & Schenectady, 4; on the Mohawk & Malone, 11.

On the main line, 18 miles of new fence have been erected and 84 miles rebuilt; on the Troy & Schenectady, 1.1 miles erected and 5 miles rebuilt; on the Troy & Greenbush and Troy Union, 1 mile rebuilt; on the West Shore, 13 miles erected and 10 rebuilt; on the Mohawk & Malone, 8 miles erected and 3 rebuilt.

About 11½ miles of new sidings have been added to the main line, and similar additions made to sidings and yard tracks of the other lines.

A new 20-stall extension has been made to the engine house at Rensselaer and about 0.7 mile of coach storage track added.

Both bridges over the Hudson river at Albany have been equipped with interlocking.

APPENDIX O: INSPECTION OF STEAM RAILROADS 833

A new boiler shop, a new scrap platform with necessary tracks, and a new 85-ft. turntable have been put in at West Albany.

Very extensive work has been done at Schenectady eliminating grade crossings, and a very complete and extensive station built there.

A new line has been constructed improving the alignment at Cranesville, and a similar change made east of Amsterdam.

A new yard completed at St. Johnsville and new signal towers constructed at each end of the yard.

A new freight house built at Herkimer and additions made to yard.

Automatic signals installed for tracks 3 and 4 between Schenectady and Utica.

On the Troy & Schenectady, work on a 60-ft. concrete arch is in progress and the raising of the track through Schenectady completed.

On the West Shore, the elimination of the grade crossing at Wolf Hill road, New Scotland, completed by putting in an extensive arch culvert. The road electrified between Utica and Syracuse, and 6 low overhead bridges raised to make standard clearance.

On the Mohawk & Malone, extensive riprapping has been done along West Canada creek north of Kast, to protect embankments.

Recommendations: That the pile docking which is failing on the Troy & Schenectady branch near Cohoes be replaced; that the loose boulders on the slopes of cuts and in the ditches of the Mohawk & Malone and the Raquette Lake branches be promptly removed; that the warning signals at overhead obstructions be put in proper repair; that the timber open and box culverts on the Raquette Lake branch which are in poor condition be replaced; and that the rails that have been worn by slipping drivers on the Raquette Lake branch be changed out.

Western Division.

Inspected September 28, 29, 30, and October 1, 2, 3, 1908. Last previous inspection September 24, 25, 26, 27, 28, 1906.

The main line extends from Minoa to Buffalo, with 157.65 miles each first and second main tracks, 150.18 miles each third and fourth main tracks, and 428.16 miles sidings and yard tracks; the Syracuse Junction railroad extends from DeWitt to Syracuse Junction, with 8.31 miles each first and second tracks, and 3.26 miles sidings and yard tracks; the Auburn branch extends from Syracuse to Rochester, 96.29 miles single track, 55.33 miles sidings and yard tracks; the Buffalo & Niagara Falls branch from Exchange Street, Buffalo, to Suspension Bridge, 21.82 miles first track, 21.53 miles second track, 52.70 miles sidings and yard tracks; the Lewiston branch from Suspension Bridge to Lewiston, 6.22 miles single track, 2 miles sidings and yard tracks; the Buffalo Belt Line from William Street, Buffalo, to North Buffalo, with 7.27 miles each first and second tracks, 18.50 miles sidings and yard tracks; the Rochester & Niagara Falls branch, from Rochester to Suspension Bridge, 75.61 miles first track, 48.58 miles second track, 91.05 miles sidings and yard tracks; the Tonawanda & Lockport branch, from Lockport Junction to North Tonawanda, 11.17 miles single track, 4.58 miles sidings and yard tracks; the Canandaigua & Niagara Falls branch, from Canandaigua to North Tonawanda, 85.76 miles first track, 1.66 miles second track, 23.47 miles sidings and yard tracks; the Charlotte branch, from Charlotte Junction to Ontario Beach, 7.34 miles first track, 6.92 miles second track, 10.48 miles sidings and yard tracks; the Attica branch, from Batavia to Attica, 10.67 miles single track, 1.34 miles sidings and yard tracks; the Terminal railway, from Depew to Blasdell, 11.02 miles each first and second tracks, 21.88 miles sidings and yard tracks; the West Shore railroad (main line) from Syracuse to Buffalo, 148.08 miles first track, 113.43 miles second track, 102.72 miles sidings and yard tracks; the Chenango branch from Syracuse to Earlville, 42.78 miles single track, 11.07 miles sidings and yard tracks.

The general alignment of the main line is good, curves light, and grades generally light; the maximum curve is 5 degrees 54 minutes, at Rochester; the maximum grade, 53.2 ft. per mile, at Syracuse. The Syracuse Junction railroad has light curves and regular grades, with maximum curve of 2 de-

grees one mile west of DeWitt, and maximum grade of 47.5 ft. per mile near Northern Junction. The Auburn branch is very crooked and many sharp curves, with grades somewhat broken and much level; the maximum curve 10 degrees, west of Geneva, and maximum grade of 40 ft. per mile at Canandaigua. The Buffalo & Niagara Falls branch is very crooked in Buffalo and Niagara Falls, and the balance of branch is good; in Buffalo, the grades are steep, the balance, grades are light; maximum curve of 14 degrees at Georgia street, Buffalo, and maximum grade of 125.6 ft. per mile west of Terrace, Buffalo. The Lewiston branch is very crooked, grades steep and long but regular; maximum curve of 21 degrees at Lewiston, and maximum grade of 127.2 ft. per mile near Lewiston. The Buffalo Belt Line has generally moderate curves, with grades steep in places; the entire grade is being raised and grade crossings eliminated; at various points there is a maximum grade of 6 degrees. The general alignment of the Rochester & Niagara Falls branch is excellent, and curves light; the grades are also light, and for much of the distance practically level; maximum curve 6 degrees 7 minutes at Suspension Bridge, maximum grade 47.5 ft. per mile at Lockport Junction. The Tonawanda & Lockport branch has light curves at either end, and balance tangent; the grades are light and for most part level; maximum curve 2 degrees at Lockport Junction, maximum grade 16.9 ft. per mile near Mapleton. The Canandaigua & Niagara Falls branch has first-class alignment, no very sharp curves, light grades; maximum curve 6 degrees west of Canandaigua, maximum grade 74.5 ft. per mile at North Tonawanda. The alignment of the Charlotte branch is good, with sharp curves at terminals; grades steep and long; maximum curves 8 degrees at Otis and Charlotte, maximum grade 77.6 ft. per mile near Charlotte. The Attica branch has light curves and grades; maximum curve 4 degrees 30 minutes at Batavia, maximum grade 47.5 ft. per mile near Attica. The Terminal railway has good general alignment and light grades; maximum curve 6 degrees at Depew, maximum grade 53.20 ft. per mile at Blasdell. The West Shore railroad has all light curves and grades, a large amount of money having been recently expended on the eastern portion in reducing 20-ft. grades to 13 ft. per mile; maximum curve 3 degrees 30 minutes east of Clyde, maximum grade 40 ft. per mile at East Buffalo. The Chenango branch has mostly light curves, with long, regular grades; maximum curves of 5 degrees at various places, maximum grade 114.7 ft. per mile near Lebanon.

The cuts and embankments of all the lines are of good width and proper slopes, and drainage generally first class; sub-drains are used in wet cuts, with good results. The Lewiston branch is constructed for a large portion of its length on the side of the Niagara Gorge, and is a very dangerous location for a railroad; huge masses of overhanging rock, 100 to 150 feet above the track, overlaying softer shale which is disintegrating, are not only liable but likely to fall, and if they do, the railroad track and whatever may be upon it where the fall occurs will be practically annihilated; it is not practicable to attempt to remove this rock and form proper slope: the expense would be enormous, and in addition the road would have to be abandoned for a long period of time while it was being done; not only this line of road would have to be abandoned, but the Gorge road, which is away below at the foot of the cliff, which is so steep that a pebble dropped from the railroad would land upon the track of the electric road. This line of road should not have been built; the possibilities of accident owing to the place where it is constructed are too great; but the road is there. In former years there was a large passenger business on this line, of persons sight-seeing, the road running as it did along the Niagara Gorge. Later, electric lines were built, taking away to a large extent the passenger traffic from this road. Therefore I do not believe it would be any hardship upon the railroad company if that portion of the road through Niagara Gorge was abandoned, and connection made near Lewiston with the old line of the Rome, Watertown & Ogdensburg railroad taken up a few years ago. This would accommodate the freight business of Lewiston approximately as well as it is now done. There might be a small loss in passenger receipts, but the cost of maintenance and opera-

tion of the road would be reduced to the extent that it would more than compensate for that, and the terrible possibilities of accident which can not be avoided on the present route would be eliminated.

The Buffalo Belt Line is being practically rebuilt, and the grades either lowered or raised so as to eliminate the street crossings in Buffalo. This work is well toward completion.

On the West Shore railroad east of Seneca river there are a few cuts that have been deepened to reduce grade, where material has washed from the slopes and to some extent filled the ditches; these should be properly cleaned. On the Chenango branch there are a few clay cuts where the slopes are upheld by pile docking, all in good condition. There is one tunnel on the Chenango branch, near Cazenovia, 1635 ft. in length, through rock; almost the entire length has been lined with timber, the rock being soft, and the remaining portion has stone bench walls and brick arch, all apparently secure.

The steel and iron bridges are generally in first-class condition, with good masonry, standard ties and guard timbers well maintained, and inside guard rails on all; they are generally well painted. On the Auburn branch there remain 2 or 3 that are rather light for the class of motive power the company desires to use, and they are to be replaced. Bridge No. 125 on the Canandaigua & Niagara Falls branch, over Tonawanda creek, is rather light and has poor masonry; timber bents have been placed on either side of the piers, making the bridge secure until such time as the masonry can be rebuilt and the bridge replaced. The bridges on the Charlotte branch are of light construction, but only light power is used, such as the bridges are designed to carry with safety. There is 1 drawbridge on the Auburn branch, across the canal at Cayuga: it is properly interlocked and protected by home and distant signals. There is another on the West Shore railroad, across the Oswego canal at Syracuse: this is a lift draw; it is properly interlocked and signaled.

There are no timber span bridges except those used for overhead highway and farm crossings, and on the more important lines practically all such bridges are of iron; all are properly maintained and many low ones have been recently rebuilt and raised to give a 21-ft. clearance; the low ones remaining, and all other obstructions less than 21 ft. above the track, are protected by warning signals; many were observed, however, and attention directed to them, where some "ticklers" were either missing or had become tangled. The only timber trestles remaining in the roadway, excepting such as are in temporarily while bridges are being rebuilt or new undercrossings put in, are: 1 on the Canandaigua & Niagara Falls branch, 3 on the West Shore main line, and quite a large number of the Chenango branch; these are of standard construction and in good repair. There are in the main line temporary trestles at Rochester and Buffalo where new undercrossings are being put in, eliminating grade crossings. There are also temporary trestles put in on the Belt Line where grade is being raised and bridges put in, eliminating grade crossings in Buffalo. All these are secure and are only to remain for a short period of time.

On most of the important lines, and on some of those of less importance, all culverts and cattle passes formerly open to grade have been either covered with concrete and metal and track ballasted over them, or replaced by concrete arch or box culverts or iron-pipe and filling, thus eliminating the openings to grade. There yet remain on the Canandaigua & Niagara Falls branch 3, with good masonry: 1 has timber stringers and 2 I-beams; on the Attica branch 1, constructed entirely of timber; on the West Shore railroad 2, with good masonry: 1 with timber stringers and the other with I-beams; on the Chenango branch there yet remain 26, constructed entirely of timber; there are a few on this branch with stone masonry and timber stringers, and quite a number have been eliminated by solid covering or by putting in box culverts or pipe and filling; all are in good condition and those with open floors have standard ties and guard timbers, properly maintained. The masonry arch and box and iron-pipe culverts on all the lines are properly maintained.

The cross-ties are 7 x 9 in., 6 x 9 in., 6 x 8 in. 8 ft. long, and all in good condition, except on Buffalo Belt Line and Attica branch they are in fair condi-

tion. On the main line all cross-ties are yellow pine; on the Syracuse Junction railroad, 96 per cent. yellow pine, 4 per cent. cedar; Auburn branch, 75 per cent. yellow pine, 20 per cent. oak, 5 per cent. cedar; Buffalo & Niagara Falls branch, 90 per cent. yellow pine, 8 per cent. oak, 2 per cent. mixed; Lewiston branch, 99 per cent. yellow pine, 1 per cent. oak; Buffalo Belt Line, all yellow pine; Rochester & Niagara Falls branch, 98 per cent. yellow pine, 1 per cent. oak, 1 per cent. mixed; Tonawanda & Lockport branch, 99 per cent. yellow pine, 1 per cent. oak; Canandaigua & Niagara Falls branch, 64 per cent. yellow pine, 24 per cent. cedar, 12 per cent. oak; Charlotte branch, 86 per cent. yellow pine, 14 per cent. cedar; Attica branch, 51 per cent. yellow pine, 45 per cent. cedar, 4 per cent. cypress; Terminal railway, all yellow pine; West Shore railroad, 89 per cent. yellow pine, 8 per cent. oak, 3 per cent. mixed; Chenango branch, 96 per cent. yellow pine, 4 per cent. cedar. The cross-ties in the main line are laid at the rate of 3200 to the mile of track; on all other lines at the rate of 2816 to the mile; they are well spaced and full spiked. On all sharp curves there are tie-plates, and on most of the lighter curves of the important lines, and all curves except where shoulder tie-plates are used, are double spiked on the outside.

The rail used is all steel, the connections all angle plates, with weights and connections as follows: Main line, 251.99 miles 100-lb., 363.67 miles 80-lb., 36-in. plates, 6 bolts; Syracuse Junction railroad, Buffalo & Niagara Falls branch, Lewiston branch, Buffalo Belt Line, and Terminal railway, all 80-lb., 36-in. plates, 6 bolts; Auburn branch, 19 miles 80-lb., 77.29 miles 65-lb., 36-in. plates, 6 bolts; Rochester & Niagara Falls branch, 2 miles 65-lb., 122.19 miles 80-lb., 36-in. plates, 6 bolts; Tonawanda & Lockport branch, all 65-lb., 36-in. plates, 6 bolts; Canandaigua & Niagara Falls branch, 7.53 miles 80-lb., 45.22 miles 65-lb., 36-in. plates, 6 bolts, and 34.67 miles 65-lb., 22-in. plates, 4 bolts; Charlotte branch, all 65-lb., 36-in. plates, 6 bolts, and 22-in. plates, 4 bolts; Attica branch, 0.26 mile 80-lb., 0.467 mile 67-lb., 10.37 miles 65-lb., the 80-lb., 67-lb., and part of 65-lb. connected by 36-in. plates, 6 bolts, and balance 65-lb. by 24-in. plates, 4 bolts; West Shore railroad (main line), 153.50 miles 80-lb., 36-in. plates, 6 bolts, and 107.98 miles 67-lb., 36-in. plates, part 6 bolts and balance 4 bolts; Chenango branch, 2 miles 56-lb., 31.68 miles 60-lb., 22-in. and 24-in. plates, 4 bolts; 6.98 miles 67-lb., 2.06 miles 72-lb., 36-in. plates, part 6 and balance 4 bolts.

The rail in tracks 1 and 2 of the main line is in first-class condition; in tracks 3 and 4 in fair to good condition. All the connections on this and all other lines are full bolted and bolts tight. The rail in the track of the Syracuse Junction railroad is in good condition. The 80-lb. rail in the Auburn branch, as well as most of the 65-lb. rail, is in good condition; a small portion of the 65-lb. rail is somewhat worn and is being replaced. Most of the rail in the Buffalo & Niagara Falls branch is in good condition, and the portion that is now considerably worn is being replaced. The rail in the Lewiston branch is in very fair condition for the light traffic and moderate speed maintained. The Buffalo Belt Line is being practically rebuilt and new rail used. The rail in the Rochester & Niagara Falls branch, the Tonawanda & Lockport branch, and the Canandaigua & Niagara Falls branch, is in very good condition. A small portion of the rail in the Charlotte branch, of the older pattern with the 4-bolt plates, is considerably worn and will need changing out before very long. The rail in the Attica branch is in fair condition for the light traffic and moderate speed maintained. The rail in the track of the Terminal railway is in proper condition. The 80-lb. and the 67-lb. rail with the 6-bolt plates of the West Shore railroad is in good condition; the 67-lb. rail with the 4-bolt plates of the older pattern is somewhat worn and will need replacing before very long. The 56- and the 60-lb. rail in the track of the Chenango branch is considerably worn and some renewals are needed.

All main-track switches with the exception of 2 or 3 on the Chenango branch are split point; there yet remain 2 or 3 Wharton switches on this branch; nearly all have rigid stands and all have well painted targets; all main-track switches of the main line are interlocked or electrically locked, and controlled from the block stations. On the Auburn branch east of Auburn all switches are electrically connected with distant signals, and that system

is being extended over the entire road. On the Buffalo & Niagara Falls branch all switches except between Black Rock and North Buffalo, a distance of about a mile, are connected with the electric block signals; between Black Rock and North Buffalo the switches are operated by regular switchmen. On the other important lines outlying and obscure switches are protected by distant signals interlocked with the switch stands. Switch and semaphore lamps of the Auburn branch, Rochester & Niagara Falls branch, Canandaigua & Niagara Falls branch, Charlotte branch, and Attica branch show red light for danger and white for safety; on the remaining lines of the division red light is used for danger and green for safety, yellow being a cautionary signal: this system of signals is to be extended over all the lines. The main-track frogs are mainly spring rail, and properly maintained. Derailing switches are in all sidings connecting with the main track where their use appears necessary, and in most cases on the more important lines are interlocked with the main-track switch.

About 55 miles, single track, of the passenger tracks of the main line are ballasted with broken stone and the remainder of the main line with gravel, in fair to good quantity; the Syracuse Junction railroad is well ballasted with gravel and cinders; the Auburn branch with a good quantity of gravel; the Buffalo & Niagara Falls branch is well ballasted with broken stone; the Lewiston branch with broken stone and gravel, in fair quantity; the Buffalo Belt Line is being rebuilt, temporary tracks lightly ballasted being used for most of the distance; the Rochester & Niagara Falls branch has 10 miles ballasted with broken stone and the remainder with gravel, in good quantity; the Tonawanda & Lockport branch has 3 miles of track ballasted with broken stone and the balance with gravel and cinders, in fair to good quantity; the Canandaigua & Niagara Falls branch is well ballasted with gravel; the Charlotte branch with gravel and cinders, in good quantity; the Attica branch with gravel and cinders, generally in medium quantity; a little broken stone has been used at places where water sometimes gets over the track in times of heavy freshets; the Terminal railway is well ballasted with gravel and cinders; the West Shore has had very extensive re-ballasting done and the entire track is ballasted with gravel in from fair to good quantity; the Chenango branch is ballasted with cinders and gravel in fair quantity. The alignment and surfacing of the main line, Syracuse Junction railroad, Auburn branch, Buffalo & Niagara Falls branch, Rochester & Niagara Falls branch, Canandaigua & Niagara Falls branch, the Terminal railway, and the West Shore railroad main line are first class, and of the other roads good, and the outer rail on curves properly elevated for the speed at which trains are scheduled.

The track is divided into sections and maintained by average force, as follows: Main line, 2.6 miles, foreman and 6 men in winter, 10 men in summer; Syracuse Junction railroad, 8 miles, foreman and 6 men in winter, 8 men in summer; Auburn branch, 4.8 miles, foreman and 3 to 4 men in winter, 5 men in summer; Buffalo & Niagara Falls branch, 3 miles, foreman and 4 men in winter, 6 men in summer; Lewiston branch, 5 miles, foreman and 3 men in winter, 4 men in summer; Buffalo Belt Line, 2.6 miles, foreman and 4 men in winter, 6 men in summer; Rochester & Niagara Falls branch, 5 miles, foreman and 3 to 4 men in winter, 6 men in summer; Tonawanda & Lockport branch, 5½ miles, foreman and 3 men in winter, 4 men in summer; Canandaigua & Niagara Falls branch, 5½ miles, foreman and 3 men in winter, 5 men in summer; Charlotte branch, 3.7 miles, foreman and 4 men in winter, 6 men in summer; Attica branch, 9.6 miles, foreman and 3 men in winter, 5 men in summer; Terminal railway, 5½ miles, foreman and 4 men in winter, 7 men in summer; West Shore railroad (main line), 5.8 miles, foreman and 4 men in winter, 6 men in summer; Chenango branch, 5½ miles, foreman and 4 men in winter, 5 men in summer. In addition to the above mentioned section force, there are regularly employed on the Lewiston branch 3 slope watchmen, and in times of severe storms additional watchmen are employed there; extra watchmen are also put on at various places on other lines where danger from results of storm might be anticipated. All portions of the road are patrolled daily by some member of the section force who works a portion of the time with the gang, and each section gang is furnished with flags, lanterns, and torpedoes.

The following railroads are crossed at grade by the lines named: by the main line: 2 tracks of the Rapid Transit railway (electric) on Genesee street, 2 on South Warren street, and 2 on South Salina street, Syracuse: at neither of the crossings are there derails, but a proper protection over the trolley wire; at the two first named streets the conductors of the electric road pilot their cars over the crossings, and at South Salina street a regular flagman is maintained; 1 freight track of the Pennsylvania division at Lyons: protected by an interlocking plant; 1 track of the Canandaigua & Niagara Falls branch at Batavia: the trains of the Canandaigua & Niagara Falls branch enter upon the main-line tracks and run upon those tracks for a distance of about half a mile, and at each of those connections there is an interlocking plant; 1 track of the Attica branch of the Erie at Batavia: protected by an interlocking plant; 1 track of the Buffalo, Bellevue & Lancaster (electric) on Broadway, East Buffalo: there are no derailing switches in the track of the electric road but a proper protection over the trolley wire: this is a very dangerous crossing, but a new undercrossing is being made for Broadway which will eliminate it; 1 track of the Buffalo Creek at William street, Buffalo: protected by an interlocking plant; 2 tracks of the Pennsylvania railroad at South Division street, Buffalo: protected by an interlocking plant; 2 tracks of the Erie railroad at Alabama street: protected by an interlocking plant.

By the Syracuse Junction railroad: 1 track of the Rome, Watertown & Ogdensburg division at Salina: protected by interlocking signals and trains are required to come to a full stop.

By the Auburn branch: 2 tracks of the Delaware, Lackawanna & Western railroad at Syracuse: these tracks cross only the old line now used as a freight track and the crossing is protected by a proper interlocking; 1 track of the Lehigh Valley railroad at Auburn: protected by signals that are interlocked and all trains are required to come to a full stop; 1 track of the Pennsylvania division at Geneva: protected by interlocked signals; 1 track of the Northern Central railway at Phelps Junction: the crossing is protected by a flagman and all trains are required to come to a full stop; 1 track of the Geneva, Waterloo, Seneca Falls & Cayuga Lake Traction Company's road (electric) east of Geneva: there are derailing switches in the track of the electric road, but the trough over the trolley wire is too short, and should be lengthened; another track of the same railroad on James street, Geneva: there are no derailing switches in the track of the electric road but proper protection over the trolley wire; 1 track of the Auburn & Syracuse railroad (electric) at Auburn: there are no derailing switches in the track of the electric road and the protection over the trolley wire is too short; 1 track of the Ontario Light & Traction Company's road (electric) at Canandaigua: there are derailing switches in the track of the electric road and proper protection over the trolley wire.

By the Buffalo & Niagara Falls branch: 2 tracks of the Black Rock branch of the Erie in North Buffalo: protected by an interlocking plant; 1 freight track of the Erie railroad at North Tonawanda: protected by an interlocking plant; 2 tracks of the International railway (electric) on Hertel avenue, Buffalo: there are derailing switches in the track of the electric road but no protection over the trolley wire; 1 track of the International railway at Echota: there are no derailing switches in the track of the electric road nor protection over the trolley wire; 2 tracks of the International railway on Second street, Niagara Falls: there are no derailing switches in the track of the electric road but proper protection over the trolley wire; 1 track of the Erie railroad at Suspension Bridge: protected by an interlocking plant.

By Lewiston branch: 4 tracks of the Michigan Central, 2 of the Grand Trunk, 1 of the Erie, and 1 connecting the Grand Trunk and Rome, Watertown & Ogdensburg yard, at Suspension Bridge: protected by an interlocking plant; 1 track of the Lewiston & Youngstown Frontier railway (electric) at the extreme end of the road at Lewiston: there are no derailing switches in the track of the electric road nor protection over the trolley wire: this crossing is beyond the point where any trains of the Lewiston branch run and on only a very rare occasion is a car switched across it, therefore there is no apparent danger in present conditions.

By Buffalo Belt Line: tracks of the International railway (electric) as follows: 1 on Broadway, 1 on Sycamore street, 1 on Genesee street, 2 on East Ferry street, 2 on Main street, 2 on Palisade avenue, 2 on Fillmore avenue, 2 on Elmwood avenue, 2 on Military road, and 2 on Hertel avenue, Buffalo; practically all these are now temporary crossings and protected by flagmen; the tracks of the steam railroad have been changed from their original position in most cases owing to the grade of the road undergoing change, being either raised or lowered to eliminate the grade crossings; when this work is completed, now well under way, nearly all the above mentioned crossings will be eliminated; the only ones that will probably remain are the 2 on Hertel avenue: there are derailing switches in the track of the electric road at this place but no protection over the trolley wire; a wye track connecting with the Buffalo & Niagara Falls branch at North Buffalo crosses 2 tracks of the Black Rock branch of the Erie: the crossing is protected by an interlocking plant.

By Rochester & Niagara Falls branch: 1 track of the International railway (electric) on Hawley street, Lockport: there are no derailing switches in the track of the electric road but proper protection over the trolley wire.

By Tonawanda & Lockport branch: 2 tracks of the Niagara Falls branch of the Erie at North Tonawanda: protected by an interlocking plant; 1 track of the Canandaigua & Niagara Falls branch of the N. Y. C. & H. R. R. at North Tonawanda: protected by an interlocking plant; 1 track of the Lockport branch of the Erie, operated electrically, near North Tonawanda: protected by an interlocking plant; 2 tracks of the International railway (electric) on Payne avenue, North Tonawanda: protected by interlocking signals; there are no derails in the track of the electric road nor protection over the trolley wire; 1 track of the International railway on Vandervoort street, North Tonawanda: there are no derailing switches in the track of the electric road nor protection over the trolley wire.

By Canandaigua & Niagara Falls branch: 1 track of the Rochester branch of the Erie at Golah Junction: protected by a tilting board signal and all trains are required to come to a full stop; 1 track of the Genesee & Wyoming railroad near Caledonia: protected by signals that are interlocked and all trains are required to come to a full stop; 1 track of the Buffalo, Rochester & Pittsburgh railway at LeRoy: protected by a tilting board signal and all trains are required to come to a full stop; 1 track of the Attica branch of the Erie west of LeRoy: protected by a tilting board signal and all trains are required to come to a full stop; 1 track of the West Shore railroad at Akron Junction: protected by an interlocking plant; 2 tracks of the Niagara Falls branch of the Erie at Tonawanda: protected by an interlocking plant; 1 main track and 2 sidings of the Tonawanda & Lockport branch at North Tonawanda: protected by an interlocking plant; 1 track of the Ontario Light & Traction Company's road (electric) at Canandaigua: there are derailing switches in the track of the electric road and proper protection over the trolley wire; 1 track of the International railway (electric) on Goundry street, North Tonawanda: there are no derailing switches in the track of the electric road nor protection over the trolley wire.

By Charlotte branch: 2 tracks of the Rome, Watertown & Ogdensburg division at Charlotte: protected by a tilting board signal and all trains are required to come to a full stop.

By Attica branch: 1 track of the Attica branch of the Erie near Batavia: protected by a tilting board signal and all trains are required to come to a full stop.

By Terminal railway: 3 tracks of the Pennsylvania railroad at Gardenville: protected by an interlocking plant; 1 track of the Buffalo Southern railway near Gardenville: there are derailing switches in the track of the electric road but the protection over the trolley wire is too short; 2 tracks of the Buffalo, Bellevue & Lancaster (electric) near Gardenville: there are no derailing switches in the track of the electric road nor protection over the trolley wire.

By the West Shore railroad (main line): 1 track of the Canandaigua & Niagara Falls branch at Akron Junction: protected by an interlocking plant;

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1 track of the Pennsylvania railroad at Genesee Junction: protected by gates and all trains are required to come to a full stop; 1 track of the Rochester division of the Erie at Mortimer: protected by gates and all trains are required to come to a full stop; 1 track of the Rochester division of the Lehigh Valley at Mortimer: protected by gates and all trains are required to come to a full stop; 1 track of the Rome, Watertown & Ogdensburg at Syracuse: protected by signals that are interlocked; 2 tracks of the Syracuse Rapid Transit railway (electric) on North Salina street, Syracuse: there are no derailing switches in the track of the electric road but proper protection over the trolley wire; 2 tracks of the same railroad on James street, Syracuse: there are no derails in the tracks of the electric road but proper protection over the trolley wire.

By the Chenango branch: 1 track of the Elmira & Cortland branch of the Lehigh Valley at Rippleton: protected by target signal and all trains are required to come to a full stop.

On the main line there are 63 interlocking plants, operated from towers, controlling the movements of trains at crossovers, sidings, yards, etc.; on the West Shore there are 6; on the Syracuse Junction railroad, 2; on the Auburn branch, 2; on the Canandaigua & Niagara Falls branch, 5; on the Charlotte branch, 1; on the Rochester & Niagara Falls branch, 3; on the Buffalo & Niagara Falls branch, 10; on the Buffalo Belt Line, 4; on the Tonawanda & Lockport branch, 4; on the Canandaigua & Niagara Falls branch, 1; on the Terminal railway, 2.

The right of way is free from trees, brush, and rubbish. Fences, mainly of wire, are maintained through the territory where there are grazing lands, and while generally in fair repair some places were observed on the Auburn branch, the Chenango branch, and the West Shore railroad where repairs are needed.

The highway crossings are properly graded, planking in good condition, and are generally protected by signs of the diamond form; on the West Shore and the Chenango branch there yet remain a few signs of triangular form; all are in proper condition excepting that on a few of them, to which attention was directed, the paint is getting dim; they should be re-painted. The cattle guards are mainly metallic-slat; a few wooden-slat yet remain; they are generally in good condition; at a few crossings on the westerly portion of the Rochester & Niagara Falls branch they are missing; there is also one missing on the Attica branch. The crossings are protected as follows:

Line or Branch.	Flagmen.	Gates.	Electric bells.	Crossing signs.
Main Line	43	43	9	67
Syracuse Junction . . . . .	..	.....	.....	8
Auburn	53	8	5	75
Buffalo & Niagara Falls	29	11	4	11
Lewiston	3	.....	1	4
Buffalo Belt Line	16	4	.....	2
Rochester & Niagara Falls	31	16	8	42
Tonawanda & Lockport	5	2	.....	12
Canandaigua & Niagara Falls	12	1	3	82
Charlotte	4	1	1	6
Attica	2	.....	.....	12
Terminal . . . . .	..	.....	.....	11
West Shore	22	14	3	117
Chenango	2	.....	1	41

The movements of trains on the main line are governed by the improved lock and block system; on the Syracuse Junction railroad by the telegraphic block system; on the Auburn branch by the telegraphic block system; on the Buffalo & Niagara Falls branch: from Exchange street station to Terrace by the automatic electrical block system, Terrace to Black Rock the lock and block system, Black Rock to North Buffalo yard rules govern, and on the balance of the line the lock and block system; on the Lewiston branch by the telegraphic block system; Buffalo Belt line by the Bell block system; Rochester & Niagara Falls branch, Tonawanda & Lockport branch, Canandaigua & Niagara Falls branch, Charlotte branch, Attica branch, West Shore railroad, and Chenango branch by the telegraphic block system. In the telegraphic block system employed on single-track lines the meeting of passenger trains with other trains is only permitted at open telegraph stations; for passenger trains, the block is positive; for freight trains, permissive.

The station buildings are generally in good repair, and while some of the lines have many small stations I was unable to ascertain except in one or two instances that they were not sufficient. The passenger station at Batavia on the main line is evidently too small. At Byron the passenger station has been recently burned and an old car is being used temporarily for a station. At Half Way and Sennett, on the Auburn branch, the station buildings are old and the one at Sennett very small. The passenger station at Brockport, on the Rochester & Niagara Falls branch, is an old building and evidently too small; the one at Black Rock, on the Buffalo & Niagara Falls branch, is small and old. While some others may be insufficient for the requirements, it would require a special study in each case to determine that fact.

The waiting rooms are clean and neat, drinking water is provided, and timetables posted. Fire extinguishers are kept in all stations and where there is a fire system hose is provided. The station platforms are of gravel, stone screenings, and concrete, suitably maintained. At passenger stations where there is a water system there are sanitary closets, and at the others outside closets, fairly well kept. The station grounds are in good condition, and at the more important ones on the main lines are lawns, with shrubs, ornamental plants, and flowers. Station employees are uniformed and wear a badge indicating their employment.

The principal repairs and improvements noted as made since last inspection (September, 1906) are as follows: Cross-ties on the various lines have been renewed as follows: 17 per cent. of those in main-line track; on the Syracuse Junction railroad 13 per cent.; on the Auburn branch, 22 per cent.; on the Buffalo & Niagara Falls branch, 13 per cent.; on the Lewiston branch, 15 per cent.; the Buffalo Belt Line is being rebuilt with practically all new ties; the Rochester & Niagara Falls branch, 15 per cent.; the Tonawanda & Lockport branch, 15 per cent.; the Canandaigua & Niagara Falls branch, 12 per cent.; the Charlotte branch, 17 per cent.; Attica branch, 11 per cent.; Terminal railway, 8 per cent.; West Shore railroad (main line), 21 per cent.; Chenango branch, 12 per cent.

On main-line track, 78.98 miles of 100-lb. steel rail have been laid, and 24.58 miles of 80-lb. rail replacing worn 80-lb. rail; 146.50 miles of 80-lb. rail on the West Shore railroad (main line) replacing worn 67-lb. rail; 10.52 miles of 80-lb. rail on the Buffalo & Niagara Falls branch replacing worn 80-lb. rail; 12.96 miles of 80-lb. rail on the Rochester & Niagara Falls branch replacing worn 67-lb. rail; 17.05 miles of 80-lb. rail on the Auburn branch replacing worn 65-lb. rail; 1 mile of 80-lb. rail on the Syracuse Junction replacing worn 80-lb. rail; 5.95 miles of 67-lb. rail on the Chenango branch replacing worn 56-, 60-, and 70-lb. rails; and 7.2 miles of 65-lb. rail on the Attica branch replacing worn 65-lb. rail.

On main-line track, 25.35 miles have been re-ballasted with stone and 105.44 miles with gravel; 105.41 miles of the West Shore main line with gravel; 7.50 miles of the Buffalo & Niagara Falls branch with stone; 15½ miles of the Rochester & Niagara Falls branch with stone and 11 miles with gravel; 7 miles of the Auburn branch with gravel; 5 miles of the Canandaigua & Niagara Falls branch with cinders; 1 mile of the Syracuse Junction with cinders and 0.5 mile with gravel; 8 miles of the Tonawanda & Lockport branch with cinders and 1 mile with stone; 6 miles of the Chenango branch and 3 miles of the Attica branch with cinders.

On the main line, about 6.1 miles of new tracks have been added to the freight yards, about 1½ miles of track added to the various passing tracks, and 1.6 miles of new passing track built; to bridges and other roadway structures changes have been made: 1 new I-beam bridge built, 3 pony lattice bridges, 1 I-beam aqueduct, 9 new signal bridges, 1 clay-pipe culvert replaced with iron-pipe, the masonry to 1 bridge entirely rebuilt, and 43 iron bridges re-painted. At East Buffalo there has been constructed a new sand house, and the engine house extended; at Bergen new freight house built; at Depew new transformer house and tower; at Rochester extension made to baggage room, 3 new section houses constructed; at Syracuse new ceiling put in passenger station, stalls to engine house extended; at Buffalo new subway built at passenger station and alterations made in waiting room, doubling its capacity; at Wayneport a new coaling plant is under way.

Grade crossings have been abolished at Weedsport and Churchville; 2 grade crossings are being eliminated in Syracuse; the old tunnel under the Erie canal has been replaced with a steel aqueduct; a new footbridge erected at Lyons, and new footbridge under way at Rochester; 23 miles of new fence erected, and 40.56 miles of fence repaired.

On the Syracuse Junction railroad, 1.9 miles of new side track have been laid in Salina yard; one new solid floor bridge constructed for undergrade electric railroad; 2 miles of new fence built and 5 miles repaired.

On the Auburn branch, 3 rail floor culverts put in; 2 I-beam solid floor culverts; 1 through pin connected solid floor bridge; 2 deck plate girder bridges; 3 concrete arches constructed; 3 open culverts rebuilt; 2 cattle passes replaced with filling; end walls built to 2 arch culverts; 1 stone box culvert rebuilt and 12 replaced with iron-pipe; 3 clay-pipe culverts and 3 wooden-box culverts replaced with iron-pipe; the masonry to 1 bridge entirely rebuilt and to 3 others extensively repaired; 8 bridges have been re-painted; new passing sidings have been constructed at Brighton, Shortsville, and Phelps, a total of 1 mile; small changes and additions have been made to yard tracks at other stations; 1 grade crossing at Sennett replaced by an overhead highway bridge; a new and commodious passenger station and freight house of brick erected at Geneva; 6 miles of new fence constructed and 10 miles repaired.

Buffalo & Niagara Falls branch, 1.7 miles of track have been added to the Niagara Falls yard and 0.9 mile at North Buffalo; 1½ miles of track constructed to reach industries, and smaller additions made to tracks in yards at various places; new freight houses have been erected at Black Rock and at Niagara Falls; 1 through lattice bridge built, also 1 new signal bridge; 1 open culvert replaced; and 0.25 mile of new fence erected.

On the Lewiston branch, 1 rail floor culvert put in replacing a wooden structure.

The Buffalo Belt Line is being entirely rebuilt, with work well under way. This will abolish all grade crossings on that line.

On the Rochester & Niagara Falls branch, 0.6 mile of new track has been added to Lockport yard; 0.7 mile to Holley; 0.8 mile to Brockport, and about 16 miles of second main track added; 1 rail floor culvert put in; 2 through girder bridges; 1 deck plate bridge; 16 stone-box culverts and 10 clay-pipe culverts replaced with iron-pipe; the masonry to 7 bridges extensively repaired; 24 bridges re-painted; new stations have been built at South Greece; a new gate tower at Albion; new passenger station at Medina; freight station at Holley; new passenger station, and freight station remodeled, at Brockport; freight station extended at Suspension Bridge and extension made to custom house; 5.87 miles of new fence erected, and minor repairs made to other fences.

On the Canandaigua & Niagara Falls branch, 1 rail floor culvert put in; 6 open culverts and cattle passes replaced; 1 arch culvert rebuilt; 9 stone-box culverts and 8 wooden culverts replaced with iron-pipe; the masonry to one bridge extensively repaired; 6 miles of new fence constructed, and 11.72 miles extensively repaired.

On the Terminal railway a large amount of grading has been done and 22 miles of track laid in the new yard being constructed at Gardenville; work on this yard has been stopped, nothing now being done; at Gardenville a new 7-stall engine house with machine shop has been erected; an office building, water station, and turntable partially completed; an arch culvert has been extended to admit the putting in of additional yard tracks at Gardenville.

On the West Shore railroad, 2.7 miles of main line east of Syracuse have been electrified and 5.5 miles of new track built at East Buffalo; 1½ miles additional track added to Newark yard; middle siding at Clyde extended 1 mile, and 1 mile of passing track put in at Seneca river; the main line has had second main track built from Amboy to Jordan, Port Byron to Lyons, and Fairport to Churchville Junction, a total of 43.89 miles; extensive grading has been done at various points between Syracuse and Churchville, reducing the eastbound grade to a maximum of 13.20 ft. per mile; new block tower

built at Syracuse; new pump house at Newark; 11 combined section and boarding houses at various points; a new engine house, coaling plant, machine shops, etc., at East Buffalo; extensive renewal of bridges has been made, former light ones being replaced, including 1 I-beam solid floor, 8 through girder bridges, 5 through lattice, 1 through plate girder, 3 pin connected and 4 deck plate bridges; 3 concrete arches constructed, 2 extended for double track, 2 new end walls built, 10 stone-box culverts extended and end walls built; 1 clay-pipe and 3 cast-iron pipe culverts replaced with iron-pipe; the masonry to 20 bridges extensively repaired, and 36 bridges re-painted; 20.40 miles of new fence constructed, and 36 miles repaired.

On the Chenango branch, new passenger stations have been erected at Cazenovia and Lebanon; one rail floor culvert put in; 1 concrete arch culvert built; 1 timber trestle rebuilt; 2 open culverts replaced; the masonry to one bridge rebuilt and to two others extensively repaired; 5 miles of new fence erected, and 10 miles extensively repaired.

Recommendations: That the question of abandoning the portion of the Lewiston branch along Niagara Gorge and the reconstructing of the line connecting with the Rome, Watertown & Ogdensburg division from Lewiston to Lewiston Junction connecting with the present Lewiston branch at Lewiston, be seriously considered: this on account of the tremendous possibilities of accident from the falling of huge masses of overhanging rock on the portion of the line along the gorge; that the necessary cleaning of ditches on the West Shore through cuts, where grade has been lowered and ditches become filled, be done; that the masonry to bridge 125 on the Canadagua & Niagara Falls branch be thoroughly examined, and rebuilt if found necessary; that the portions of the 56- and 60-lb. rails of the Chenango branch that are much worn be replaced; that necessary repairs be made to fences; that dim crossing-signs be re-painted; that the warning signals at overhead bridges be put in proper condition, and the missing cattle guards on the Rochester & Niagara Falls branch be supplied; that new passenger stations be erected at Batavia and Byron on main line, Brockport on Rochester & Niagara Falls branch, and Black Rock on Buffalo & Niagara Falls branch.

River Division.

Inspected October 13, 14, 1908. Last previous inspection October 3, 4, 1906.

The main line extends from the New Jersey-State line near Tappan to Ravenna, 111.17 miles each first and second main tracks, 9.92 miles third track, 78.94 miles sidings and yard tracks; Albany branch from Ravenna to Kenwood Junction, 11.56 miles single track, 2.26 miles sidings and yard tracks; Rockland Lake branch from Congers on main line to Rockland lake, 1.17 miles single track and 0.42 mile of siding; Wallkill Valley branch from Kingston on main line to Montgomery, 32.88 miles single track, 6.54 miles sidings and yard tracks.

The main line is very crooked along the Hudson river and many curves are sharp, with a maximum of 9 degrees 44 minutes reversed near Highland Falls; the grades are light, a maximum of 55 ft. per mile for 0.43 mile near Blauvelt. On the Albany branch all curves and grades are light, with a maximum curve of 3 degrees near Selkirk, and a maximum grade of 38.4 ft. per mile for 0.31 mile near Ravenna. The Rockland Lake branch is very crooked and fairly sharp curves, the maximum 10 degrees 30 minutes near Rockland lake; the grade is moderately steep, a maximum of 52.4 ft. per mile for 0.36 mile near Rockland lake. Portions of the Wallkill Valley branch are very crooked, especially between Kingston and South Rosendale; on other portions of the road the curves are light with some long tangents; a maximum curve of 10 degrees 14 minutes near Rosendale; the grades are much broken, the maximum of 65.5 ft. per mile for about a mile near Kingston.

The main line is well graded and thoroughly drained; some sub-drains are used in wet cuts. In a few cases pile docking is used to support slopes of cuts of soft, slippery material, and much retaining wall has been constructed, in some cases supporting slopes of cuts, or much more frequently to uphold embankments. Along the Hudson river where the foot of slopes to embankments rests in the water, very extensive and thorough ripraping has been

done, and this work is being continued. The Albany branch is well graded and drainage good; in some few cases pile docking has been used to support slopes of soft cuts and is well maintained. The Rockland Lake branch is well graded and properly drained. The Wallkill railroad has cuts and embankments of proper width, and ditches are in good condition.

There are 5 tunnels on the main line: one south of Haverstraw 1809 ft. in length, one at Fort Montgomery 816 ft. in length, one at West Point 2668 ft. in length, one at Kingston 403 ft. in length, and one at Newburgh 458 ft. in length. All except the Newburgh tunnel are through natural rock: that is an artificial tunnel under the Erie railroad, with stone bench walls and brick arch. Portions of the tunnel at West Point have been lined with metal on account of disintegrating rock. All others are through solid rock and all are apparently in first-class condition.

The steel and iron bridges of the main line are generally in good condition excepting that a few of them would be benefited by an additional coat of paint. No. 56, south of West Point, has been damaged by wreck and on one side is supported on heavy blocking pending renewal or elimination. The ties and guard timbers on No. 54 near the same place are in condition requiring renewal. The masonry is good; ties and guard timbers are of standard dimensions, and with the exceptions above noted, in good condition, and inside guard rails are maintained on all. The bridges of the Albany branch are in good condition, have standard ties and guard timbers properly maintained, and inside guard rails; the masonry is good. There are no bridges on the Rockland Lake branch. Bridge No. 29, south of New Paltz on the Wallkill railroad, has one very bad abutment and the bridge is supported on bents on account of poor masonry; bridge No. 19 has one abutment in same condition and is also supported on bents: in addition, the material back of the abutment has been removed to relieve the pressure, and 3 bents of timber trestle put in. All the other bridges have fair to good masonry and all bridges are themselves in good condition, with standard ties and guard timbers properly maintained, and inside guard rails. There are 2 drawbridges located between Fort Montgomery and Iona Island: they are of jack-knife design, each 42-ft. span; they are properly protected by home and distant signals, interlocked with the mechanism operating the bridge. There are no wooden bridges on the main line or branches excepting for overhead highway or farm crossings, and in many cases iron bridges are used for such crossings; all are apparently in good condition, and any less than 21 ft. above the track are protected by warning signals; some of these signals require caring for, as the "ticklers" are tangled or missing.

There are 4 timber trestles remaining in the main-line road: one near Marlboro 325 ft. in length, another south of Fort Montgomery 500 ft. in length, one north of Iona Island 800 ft. in length, and one south of Iona Island 1700 ft. in length; all are of standard pile bent construction and in first-class condition throughout. There are 10 timber trestles in the roadway of the Wallkill Valley: one of 10 spans, one of 5, and 8 of three; the one of 10 spans is for flood opening at end of bridge over the Wallkill river; the others are for undercrossings or cattle passes or crossing small streams; they are of standard construction and in fair to good repair; all trestles have standard ties and guard timbers and inside guard rails. There are no trestles on the Albany or the Rockland Lake branches. The only open culverts and cattle passes remaining are on the Wallkill Valley railroad; on the other lines all such openings to grade have been eliminated by covering with solid flooring of metal and concrete and ballasting the track over them, or replacing with concrete arch or box culverts or iron-pipe and filling. There are 14 such openings in the roadway of the Wallkill Valley railroad: all have stone abutments, 3 have timber stringers, 2 I-beam, and 9 have stringers made of rails; the ties and guard timbers are of standard dimensions and in proper repair; the masonry to these openings is not generally in very good condition, and 1 near Binnewater, 3 between New Paltz and Forest Glen, 1 north of Wallkill, and 1 south of Wallkill, are especially bad, and the stringers are supported on bents on account of the poor masonry. The arch, box, and pipe culverts are apparently in proper condition.

The cross-ties are of standard dimensions, 6 x 8 in. 8 ft. long, and are all in good condition; on the main line 97 per cent. are yellow pine, 3 per cent. cedar; Albany branch, 99 per cent. yellow pine, 1 per cent. cedar; Rockland Lake branch, all yellow pine; Wallkill Valley railroad, 50 per cent. yellow pine, 20 per cent. oak, 28 per cent. chestnut, 2 per cent. cedar. The ties are evenly spaced and full spiked. On curves the ties on the outer side of the rail are double spiked excepting where shoulder tie-plates are used. Tie-plates have been put on all curves sharper than 3 degrees and on some of lesser degree. On the main line the ties are laid at the rate of 3168 to the mile of track, on the other lines at the rate of 2816.

The rail is all steel: on the main line 80-lb. and the Albany branch 67-lb., connected by 36-in. angle plates, 6 bolts; on the Rockland Lake branch and Wallkill Valley railroad 67-lb., 36-in. plates, 4 bolts. The main-line rail is in good condition, renewal being made as necessary; all connections are full bolted and bolts tight. The rail on the Albany branch is in fair to good condition; all connections full bolted and no loose bolts observed. The rail on the Rockland Lake branch is in proper condition for the light traffic and moderate speed maintained; the connections are full bolted and bolts tight. The 6-bolted rail on the Wallkill Valley railroad is in very good condition; some of the 4-bolted rail having been longer in use, is somewhat worn but yet in fair condition for the moderate traffic of the road and the rate of speed at which trains operate; all the connections are full bolted and very few loose bolts were observed.

All main-track switches of the main line are split point with rigid stands; the targets are in good condition and many of the stands have high targets; some switches are protected by distant signals. Between the New Jersey-State line and Newburgh all switches are connected with the automatic electrical signals, and north of Newburgh all obscure facing switches, and most others, are bolt locked and signaled. The main-track switches of the Albany branch are split point with rigid stands, proper targets, and all are bolt locked. Those on the Rockland branch are split point with rigid stands. Those on the Wallkill Valley railroad are split point with rigid stands; some high targets are used, and 14 outlying and obscure ones are bolt locked. Switch and semaphore lamps show red light for danger and green for safety; yellow is used for caution. The main-track frogs are spring rail and properly maintained. Derailing switches are in all sidings where their use appears necessary, and on the more important lines many of them are interlocked with the main-track switch stands.

Eighty-five miles of the main line have main tracks ballasted with broken stone, in good quantity, and the remaining portion with gravel and cinders, in fair to good quantity; the Albany branch is fairly well ballasted with gravel and cinders; the Rockland Lake branch with gravel and cinders in medium quantity; the Wallkill Valley railroad with gravel, cinders, and stone screenings, generally in very fair quantity. The alignment and surfacing of the tracks of all the lines are good, and the outer rail on curves properly elevated for the speed at which the trains are scheduled.

The average length of sections and average force employed are as follows: Main line, 3.63 miles, foreman and 5 men in winter and 8 men in summer; Albany branch, 5.26 miles, foreman and 3 men in winter and 4 men in summer; Rockland Lake branch is part of main-line section; Wallkill Valley railroad, 5.46 miles, foreman and 3 men in winter and 4 men in summer. Each gang is furnished with flags, lanterns, and torpedoes for protecting its work and all portions of the road are patrolled daily by some member of the section force. On the main line there are 61 watchmen constantly employed patrolling track where danger is anticipated from loose rock falling from slopes; 4 extra gangs with a total force of about 50 men are constantly at work removing from the slopes of cuts any rock from which danger is anticipated, and in times of storm the entire section force is frequently employed patrolling track at such places.

The main line is crossed at grade as follows: by 2 tracks of the Ulster & Delaware railroad at Kingston: protected by a modern and complete interlocking plant; by 1 track of the Kingston Consolidated railroad (electric) at Kingston: there are no derailing switches in the track of the electric road nor

protection over the trolley wires; the railroad company maintains at this crossing a flagman: if the gates are up when the street cars approach the crossing they do not stop, nor does the conductor go ahead to protect his car, depending on the gate tender of the railroad company for protection.

Interlocking plants governing the movements of trains at crossovers, entrances to yards, junctions, etc., are maintained, as follows: west end Ravenna yard; east end Ravenna yard; west end Mt. Marion middle track; west end Kingston yard; grade crossing of the Ulster & Delaware railroad at Kingston; south end Kingston yard; south end Newburgh yard; west end Cornwall yard at junction with the New York, Ontario & Western railroad; and east end of Iona middle track.

The right of way is free from trees, brush, and rubbish, and is fenced with wire opposite grazing land, and fences are generally in fair repair.

The highway crossings are properly graded, planking in good condition, and are protected by signs mainly of triangular form, suitably located and well painted. Metallic-slat cattle guards with proper guard fences are maintained at each boundary of the grade crossings of highways.

The crossings are protected as follows: Main line, 12 by flagmen, 24 by gates, 17 by electric bells, 48 by crossing-signs; Albany branch, 6 by crossing-signs; Rockland Lake branch, 3 by crossing-signs; Wallkill Valley railroad, 1 by gates, 1 by electric bells, 43 by crossing-signs.

On the main line from the New Jersey-State line to Newburgh the movements of trains are governed by automatic electric block signals; from Newburgh to Ravenna, and on the branch lines, by telegraphic block signals: positive for passenger trains, and permissive for freight trains.

The stations are generally in good repair, waiting rooms clean and neat; water for drinking is provided, and time-tables posted in the waiting rooms. Fire extinguishers are furnished at most stations, and at those where there is a fire system, hose is kept for protection against fire. The platforms are of plank, gravel, stone screenings, and concrete, and very well maintained. The station grounds are well kept and the yards in fair condition. At stations where there is a water system, sanitary closets are provided; at others, outside closets, very well maintained. All station employees are uniformed and wear a badge indicating their employment.

The principal repairs and improvements observed as having been made since the last inspection (October, 1906) are as follows: About 20 per cent. of the main line cross-ties, 18 per cent. of the Albany branch, 25 per cent. of the Rockland Lake branch, and 17 per cent. of the Wallkill Valley railroad have been renewed; 11.65 miles of new 80-lb. rail have been laid in main-line track replacing worn 80-lb. rail, and 6.40 miles of 67-lb. rail on the Wallkill Valley replacing worn 60-pound rail; 31.44 miles of main-line track have been re-ballasted with broken stone and 12 with cinders; 2 miles of the Albany branch, 2 miles of the Wallkill Valley railroad, and the entire Rockland Lake branch with cinders; on the Wallkill Valley railroad, bridge No. 56 has had rail floor culvert put in replacing timber trestle; No. 48, deck plate girder bridge replacing wooden stringers; No. 55, rail floor culvert replacing timber trestle; No. 44, I-beam culvert replacing timber trestle; Nos. 32, 41, and 42, rail floor culverts replacing wooden stringers; on the Albany branch 2 solid floor rail culverts constructed replacing I-beam stringers; on the Wallkill Valley railroad 5 timber trestles have been replaced with solid floor culverts and filling, and 1 open culvert with iron-pipe and filling; 1 stone-box culvert on the main line has been replaced with iron-pipe; the masonry to 1 bridge of the main line has been rebuilt and two other extended for additional track; extensive repairs have been made to masonry of 1 bridge on the Albany branch, and rail stringers to 8 open culverts of the Wallkill Valley railroad have been replaced with heavier rail stringers. A new and extensive brick freight house has been constructed at Kingston on the main line, 9 new station and other buildings constructed, one extensively repaired, and 41 re-painted; on the Albany branch, 1 re-painted; on the Wallkill Valley railroad 2 new ones constructed and 3 re-painted; necessary repairs have been made to other station buildings; 20 iron bridges of the main line have been re-painted; 12 $\frac{1}{4}$ miles of new fence have been constructed on the main line and 13 $\frac{1}{4}$ miles extensively repaired; 2.08 miles of new passing tracks

have been constructed on the main line, and small additions made to tracks in various yards; about 6 miles of embankment along the Hudson river have been very extensively riprapped, in doing which 115,000 cubic yards of stone have been used; automatic electric signals have been erected and put in use between Cornwall and Newburgh; 35 facing switches of the main line, all switches of the Albany branch, and 12 of the Wallkill Valley railroad have been protected by bolt locks and signals.

Recommendations: That new ties and guard timbers be put on bridge No. 54 of the main line; that bridge No. 58, damaged by wreck, be replaced or properly repaired; that the poor abutments to bridge No. 19, and to bridge No. 29 of the Wallkill Valley railroad be rebuilt; that the "ticklers" to the warnings at overhead obstructions be put in proper condition, and kept so; that the masonry to the 6 open culverts and cattle passes mentioned in this report as being in bad condition, on the Wallkill Valley railroad, be rebuilt, and that loose track bolts of the Wallkill Valley be made tight.

Rome, Watertown and Ogdensburg Division.

Inspected September 14-20, 1908. Last previous inspection October 22-27, 1906.

The main line of the Utica & Black River railroad extends from Utica to Ogdensburg, 134.27 miles single track, and 49.46 miles sidings and yard tracks; the Clayton branch extends from Rivergate to Clayton, 15.85 miles single track, 4.07 miles sidings and yard tracks; main line Rome, Watertown & Ogdensburg railroad from Syracuse to Massena Springs, 161.16 miles first track, 11.67 miles second track, 90.86 miles sidings and yard tracks; DeKalb branch, DeKalb Junction to Ogdensburg, 18.89 miles single track, 1.81 miles sidings and yard tracks; Gouverneur & Oswegatchie railroad, Gouverneur Junction to Edwards, 13.24 miles single track, 3.43 miles sidings and yard tracks; Cape Vincent branch, Watertown Junction to Cape Vincent, 24.31 miles first track, 0.33 mile second track, 20.97 miles sidings and yard tracks; Carthage, Watertown & Sackets Harbor railroad, 29.15 miles single track, 10.37 miles sidings and yard tracks; Carthage & Adirondack railroad, Carthage to Newton Falls, 45.86 miles single track, 18.64 miles sidings and yard tracks; Rome branch, Richland Junction to Rome, 41.28 miles single track, 16.96 miles sidings and yard tracks; main line Western division, Pulaski to Suspension Bridge, 175.26 miles first track, 3.47 miles second track, 62.54 miles sidings and yard tracks; Phoenix branch, Woodard Junction to Fulton, 17.10 miles first track, 0.21 mile second track, 3.48 miles sidings and yard tracks; Rochester branch, Windsor Beach to Rochester, 7.30 miles single track, 2.61 miles sidings and yard tracks.

The curves of the main line of the Utica & Black River railroad are very light south of Philadelphia, none exceeding 4 degrees; north of that place the road is crooked, most curves light; the maximum curve is 7 degrees, near Terrace Park; the grades are long and regular, not generally steep; maximum grade of 68.6 ft. per mile for a-quarter of a mile, near Oakville. The general alignment of the Clayton branch is first class, the only sharp curves being at the terminus in Clayton, a maximum of 8 degrees; the grades are generally light, a maximum of 66.5 ft. per mile for about a-half mile near Clayton. The main line of the Rome, Watertown & Ogdensburg railroad is considerably crooked, but most of the curves are light, a maximum of 11 degrees near Pulaski; the grades are broken but not generally steep, a maximum of 58 ft. per mile, near Woodard. The DeKalb branch has light curves, one of 4 degrees at Hamilton; the grades are broken and steep in places, with a maximum of 52.8 ft. per mile for 0.67 mile, near Rensselaer Falls. The Gouverneur & Oswegatchie railroad is very crooked and many of the curves are sharp, a maximum of 9 degrees, near Hailesboro; the road is mostly on grade and most grades are steep, a maximum of 95.5 ft. per mile for 0.28 mile near Dodgeville. The Cape Vincent branch has light curves and grades, a maximum curve of 2 degrees 20 minutes near Watertown Junction, and a maximum grade of 45.4 ft. per mile for 0.37 mile near Chaumont. The Carthage, Watertown & Sackets Harbor railroad has generally good alignment and curves light, and grades are light;

there is a maximum curve of 7 degrees near Black river, and a maximum grade of 68.6 ft. per mile for 0.34 mile at Watertown. The Carthage & Adirondack railroad is very crooked, with many sharp curves and some reversed, maximum curves at various places of 8 degrees; at the east end the grades are long and steep and somewhat broken, a maximum grade of 118.8 ft. per mile for 0.61 mile near Newton Falls; at the west end the line is fairly level. The Rome branch has light curves and light grades; a maximum curve of 3 degrees 30 minutes at Rome, and a maximum grade of 44 ft. per mile for 1.04 miles near Blossvale. The main line Western division has good alignment west of Wolcott; for a short distance along Lewiston Heights it is somewhat crooked, with a maximum curve of 5 degrees; east of Wolcott the road is crooked but curves light; the grades are broken, and while fairly steep in places, much is practically level, a maximum grade of 58 ft. per mile for 0.94 mile near Lewiston Heights. The Phoenix branch has good alignment, a 6 degree curve at Three River Point, and sharp curves at Fulton; the line is fairly level, one short piece of steep grade, 58 ft. per mile for 0.27 mile, near Phoenix. The Rochester branch is very crooked with many sharp curves, one of 10 degrees 30 minutes at Rochester: it is mostly on grade, much of the distance steep, a maximum of 68.6 ft. per mile near Rife Range.

The cuts and embankments of all the lines are of proper width and well sloped. The ditches are thoroughly clean; in many wet cuts sub-drains of tile have been laid. There is an artificial tunnel about 600 ft. in length at Oswego: it has side walls of masonry; about one-half of it has covering of I-beams and brick, the remaining portion is being partially rebuilt and covering of concrete and metal put on.

The steel and iron bridges are generally in first-class condition excepting that some of them would be benefited by an additional coat of paint to prevent injury from rust. All are apparently of sufficient strength for the class of motive power and rolling stock used, and a few of the lighter ones of the main line Rome, Watertown & Ogdensburg railroad are to be replaced on account of the desire to use heavier power there. The masonry is generally good. No. 39 on the Cape Vincent branch has one poor abutment and the girders are additionally supported by timber bents pending renewal of masonry; it is however in secure condition. Nos. 27, 130, 141, 142, and 250 of the main line Western division have poor abutments and the metal work is additionally supported on bents pending renewal of the masonry. The timber bents are sufficient and in proper condition, the tie and guard timbers are of standard dimensions and generally in first-class condition. On the Black River main line, Nos. 53 and 126, bridge No. 165 at Potsdam on the main line R., W. & O., and one at Harrisville on the Carthage & Adirondack railroad, have poor ties and guard timbers, and they should be renewed. Inside guard rails are maintained on all.

There is a drawbridge over the Erie canal on the main line Rome, Watertown & Ogdensburg railroad at Syracuse: it is protected by semaphore signals interlocked with the mechanism of the bridge; 1 on the same line over the Oneida river at Brewerton: protected by an interlocking plant; 1 on the Cape Vincent branch at Chaumont: protected by an interlocking plant; 1 on Western division, main line, at Charlotte: protected by an interlocking plant.

The only wooden bridges are for overhead highway and farm crossings, and in some cases steel or iron is used for such bridges; all are properly maintained, and those less than 21 ft. above the track are protected by warning signals; in some cases portions of the "ticklers" were tangled or missing; at several places telegraph and telephone wires cross the track at heights insufficient to insure the safety of men riding on tops of the cars: all such should be promptly raised so as to give ample clearance.

On the Carthage & Adirondack railroad there are 2 small framed bent trestles of standard construction and in good repair, excepting that on No. 3, about 3 miles from Carthage, the ties are poor and the guard timber lacking. On the Phoenix branch at Three River Point there is a framed bent trestle at the end of a bridge, consisting of 5 spans: it is of standard construction and in first-class condition. On the other lines all timber trestles have been eliminated.

On the main line Utica & Black River railroad south of Morristown all open culverts and cattle passes that formerly existed have been either covered with a solid flooring of concrete and metal and the track ballasted over them, or replaced with concrete arch and box culverts or iron-pipe and filling; between Morristown and Ogdensburg there were formerly 51 openings to grade of this sort: all but 24 of them have been eliminated in the same manner; these 24 have poor masonry and the stringers are supported on timber bents pending renewal. On the main line Rome, Watertown & Ogdensburg railroad there are 5 such openings to grade remaining; all have good masonry and I-beam stringers. On the DeKalb branch there are 3 with dry masonry, in fair condition; 2 have I-beam stringers, and 1 stringers composed of rails. On the Cape Vincent branch there are 13; nearly all have poor masonry and where the masonry is poor the stringers are supported on bents placed inside of the abutments. On the Carthage, Watertown & Sacketts Harbor railroad there are 5, generally with poor masonry and also with stringers supported on bents; all these are on the portion of the road between Watertown and Sacketts Harbor. On the Carthage & Adirondack railroad there are many such openings; a few have timber stringers, but in nearly all cases the stringers are I-beams. On the main line Western division there are 8 not yet eliminated, 5 with masonry abutments and timber stringers, and 3 constructed entirely of wood. On the other lines all have been eliminated. The stone and concrete arch and box culverts and the iron-pipe drains, so far as could be seen, were in good condition; a great many open culverts and cattle passes that formerly existed have been replaced with arch or concrete box culverts or have been covered with metal and concrete and the track ballasted over them, thus eliminating the openings to grade.

The standard dimensions of cross-ties used on the various lines are of yellow pine, oak, and Princess pine, 7 x 9 to 10 in., 8 ft. in length; and of cedar, 6 x 7 to 12 in., 8 ft. in length; and on all the lines they are laid at the rate of 2816 to the mile of track; they are in good condition generally, necessary renewals having been made, are well spaced and full spiked. Tie-plates are used on all sharp curves and on some of the lighter ones, also on soft wood ties of the more important lines, and all curves except the extremely light ones are double spiked on the outer side. On the main line Utica & Black River railroad and Clayton branch they are 40 per cent. yellow pine and 60 per cent. cedar; main line Rome, Watertown & Ogdensburg railroad, 46 per cent. yellow pine, 12 per cent. Princess pine, 42 per cent. cedar; DeKalb branch and Gouverneur & Oswegatchie railroad, 35 per cent. yellow pine, 13 per cent. Princess pine, 52 per cent. cedar; Cape Vincent branch, 63 per cent. yellow pine, 7 per cent. Princess pine, 30 per cent. cedar; Carthage, Watertown & Sacketts Harbor railroad, 50 per cent. yellow pine, 9 per cent. Princess pine, 41 per cent. cedar; Carthage & Adirondack railroad, 20 per cent. yellow pine, 10 per cent. Princess pine, 70 per cent. cedar; Rome branch, 31 per cent. yellow pine, 7 per cent. Princess pine, 59 per cent. cedar, 3 per cent. oak; main line Western division, 29 per cent. yellow pine, 3 per cent. Princess pine, 67 per cent. cedar, 1 per cent. oak; Phenix branch, 24 per cent. yellow pine, 75 per cent. cedar, 1 per cent. oak; Rochester branch, 35 per cent. yellow pine, 65 per cent. cedar.

The rail used is all steel and the connections all angle plates, as follows: Main line Utica & Black River railroad, 20.61 miles 80-lb., 36-in. plates, 6 bolts, 80.98 miles 70-lb., 28-in. plates, 6 bolts, 32.69 miles 60-lb., 22-in. plates, 4 bolts; Clayton branch, all 70-lb., 28-in. plates, 6 bolts; main line Rome, Watertown & Ogdensburg railroad, 102.77 miles 80-lb., 57.28 miles 70-lb., 12.78 miles 65-lb., 36-in. plates, 6 bolts; DeKalb branch, 16.5 miles 70-lb., 36-in. plates, 6 bolts, 2.39 miles 60-lb., 22-in. plates, 4 bolts; Gouverneur & Oswegatchie railroad and Rome branch, all 70-lb., 36-in. plates, 6 bolts; Cape Vincent branch and Rochester branch, all 60-lb., 22-in. plates, 4 bolts; Carthage, Watertown & Sacketts Harbor railroad, 25.27 miles 70-lb., 3.88 miles 65-lb., 36-in. plates, 6 bolts; Carthage & Adirondack railroad, 3.41 miles 67-lb., 2.83 miles 65-lb., 36-in. plates, 6 bolts, 39.62 miles 60-lb., 22-in. plates, 4 bolts; main line Western division, 1.97 miles 80-lb., 114.85 miles 70-lb., 36-in. plates, 6 bolts, 61.91 miles 60-lb., 22-in. plates, 4 bolts; Phenix

branch, all 70-lb., 22-in. plates, 4 bolts. All main-track rail of the main line Utica & Black River railroad and the Clayton branch is in fair to good condition, all connections full bolted and bolts tight. The 65-lb. rail which is on the easterly end of the main line Rome, Watertown & Ogdensburg railroad is somewhat worn, but in fair condition for the light traffic. The 70-lb. rail, while yet in fair condition, is on a portion of the road where traffic is heavy, and it is being replaced with 80-lb. rail. The rail on the DeKalb branch, Gouverneur & Oswegatchie railroad, Cape Vincent branch, and Carthage, Watertown & Sacketts Harbor railroad is in good condition. The 60-lb. rail on the Carthage & Adirondack railroad is considerably worn, especially on curves, and is being replaced with second-use heavier rail taken from other more important lines. The rail on the Rome branch is in good condition. The 60-lb. rail on the westerly end of the main line Western division is much worn and many cracked angle plates were observed; most of this rail should be changed out and the cracked angle plates promptly replaced. The rail on the Phoenix branch is in good condition; that on the Rochester branch in fair condition for the light traffic and moderate speed maintained. All the connections of rail on all the lines are full bolted and practically no loose bolts were observed.

All main-track switches are split point and most switch stands rigid. All have well painted targets. On the more important lines most obscure switches have high targets, and in a few cases are protected by distant signals interlocked with the switch stands. Switch and semaphore lamps show red light for danger and white for safety; green is used for caution. Most main-track frogs are spring rail and all are properly maintained. Derailing switches are in all sidings upon which cars are left standing where the grade descends toward the main track, and the stands have proper targets. The main line Utica & Black River railroad and the Clayton branch are ballasted with gravel and cinders mainly; a little broken stone is used on the main line near Utica. The ballasting is fairly well done. The main line Rome, Watertown & Ogdensburg railroad is ballasted with gravel and cinders in fair to good quantity. The DeKalb branch, Gouverneur & Oswegatchie railroad, and Cape Vincent branch, with gravel in good quantity. The Carthage, Watertown & Sacketts Harbor railroad with gravel and cinders in medium quantity. The Carthage & Adirondack railroad is very well ballasted with gravel and cinders, sand, and ore screenings. The Rome branch with gravel and cinders in good quantity. The main line Western division with gravel, cinders, and slag in medium to fair quantity. The Phoenix and the Rochester branches with gravel and cinders in fair quantity. The alignment and surfacing of the track are good, and the outer rail on curves properly elevated for the speed at which the trains are scheduled.

The average length of sections and average force maintained are as follows: Main line Utica & Black River railroad, 5.71 miles, foreman and 3.21 men in winter, 5.43 men in summer; Clayton branch, 6.34 miles, foreman and 3 men in winter, 5 men in summer; main line Rome, Watertown & Ogdensburg railroad, 5.51 miles, foreman and 3.93 men in winter, 6.24 men in summer; DeKalb branch, 6.30 miles, foreman and 3.67 men in winter, 5.33 men in summer; Gouverneur & Oswegatchie railroad, 6.62 miles, foreman and 3 men in winter, 4 men in summer; Cape Vincent branch, 4.86 miles, foreman and 3.60 men in winter, 5 men in summer; Carthage, Watertown & Sacketts Harbor railroad, 5.56 miles, foreman and 3.91 men in winter, 4.95 men in summer; Carthage & Adirondack railroad, 6.55 miles, foreman and 2.71 men in winter, 4.43 men in summer; Rome branch, 4.85 miles, foreman and 3.47 men in winter, 5.12 men in summer; main line Western division, 4.91 miles, foreman and 3.77 men in winter, 5.11 men in summer; Phoenix branch, 5.70 miles, foreman and 3 men in winter, 4 men in summer; Rochester branch, 4.17 miles, foreman and 4 men in winter, 4.43 men in summer.

The following railroads are crossed at grade by the lines named: by the main line Utica & Black River railroad, the main track and 2 sidings of of the main line Rome, Watertown & Ogdensburg railroad at Philadelphia:

the crossing is protected by a tilting board signal and all trains are required to come to a full stop.

By the main line Rome, Watertown & Ogdensburg railroad, 1 track of the Rutland railroad at Norwood: protected by a tilting board signal and all trains are required to come to a full stop; the main track and a siding of the main line Utica & Black River railroad at Utica: protected by a tilting board signal and all trains are required to come to a full stop; 1 track of the Black River Traction Company's road (electric) on High street, Watertown: there are no derailing switches in the track of the electric road nor protection over the trolley wire; 1 track of the same company's road on Court street, Watertown: there are no derailing switches in the track of the electric road nor protection over the trolley wire; 2 tracks of the New York, Ontario & Western railway at Central Square: protected by a tilting board signal and all trains are required to come to a full stop; 2 freight tracks of the New York Central & Hudson River railroad at Salina: protected by an interlocking plant; 2 tracks of the West Shore railroad at Syracuse: protected by an interlocking plant; 2 tracks of the Syracuse, Lakeside & Northern (electric) on Noxon street, Syracuse: there are derailing switches in the track of the electric road but they were found closed, and there is a proper netting over the trolley wire: this crossing is protected by a flagman; 2 tracks of the Syracuse Rapid Transit (electric) on West Genesee street, Syracuse: there are no derailing switches in the track of the electric road, there is a proper netting over the trolley wire and the crossing is protected by a flagman.

The grade crossing by the Ogdensburg street railway (electric) of the DeKalb branch on Mill street, Ogdensburg, which formerly existed, has been eliminated, the route of the electric road having been detoured to an overhead bridge. By the Cape Vincent branch, 1 track of the Black River Traction Company's road (electric) on Main street, Watertown: there are no derailing switches in the track of the electric road nor protection over the trolley wire. By the Carthage, Watertown & Sacketts Harbor railroad, 1 track of the Black River Traction Company's road on High street, Watertown: there are no derailing switches in the track of the electric road nor protection over the trolley wire.

By the main line Western division, 1 track of the New York, Ontario & Western railway at East Oswego, and another track of the same railroad at Ninth street, Oswego: each crossing is protected by a tilting board signal and all trains are required to come to a full stop; 1 track of the Oswego Traction Company's road (electric) on Tenth street, 1 on Bridge street, and 1 on First street, Oswego: there are no derailing switches in the track of the electric railroad at either crossing nor protection over the trolley wire; 1 track of the Lehigh Valley railroad at Sterling: protected by a tilting board signal and all trains are required to come to a full stop; 1 track of the Northern Central railway at Wallington: protected by signals that are interlocked and all trains are required to come to a full stop; 3 tracks of the Charlotte branch of the New York Central & Hudson River railroad at Charlotte: protected by a tilting board signal and all trains are required to come to a full stop.

By the Rochester branch, 1 track of the Rochester & Sodus Bay railway (electric) on North St. Paul street, Rochester: there are derailing switches in the track of the electric road and proper protection over the trolley wire.

Interlocking plants are maintained at the drawbridge over the Erie canal at Syracuse, the drawbridge over the Oneida river at Brewerton, the drawbridge on the Cape Vincent branch at Chaumont, and the drawbridge on Western division main line at Charlotte.

The right of way is clear and clean excepting that some small brush remains on the Carthage & Adirondack railroad where it is constructed through the forest. The fences are generally of wire and are in very fair condition.

The highway crossings are well graded, planking in good condition, and are protected by signs of the diamond form, suitably located and well painted. Metallic-slat cattle guards with proper guard fences are maintained at each boundary of the highways crossed at grade. The crossings are protected as follows:

Line or Branch.	Flagmen.	Gates.	Electric bells.	Crossing signs.
Main line U. & B. R.	4	.....	3	113
Clayton	.....	.....	.....	17
Main line R., W. & O.	11	4	7	157
DeKalb	2	.....	.....	33
Gouverneur & Oswegatchie	.....	.....	.....	16
Cape Vincent	.....	2	.....	27
Carthage, Watertown & Sacketts Harbor	.....	.....	.....	34
Carthage & Adirondack	.....	.....	.....	41
Rome	2	.....	1	194
Main line Western Div.	20	.....	9	29
Phoenix	.....	.....	.....	6
Rochester	11	.....	1	.....

The movements of trains on all the lines except the Gouverneur & Oswegatchie railroad are governed by the telegraphic block system, positive for passenger trains and permissive for freight, excepting that on the Utica & Black River main line between Remsen and Utica positive block is used for all trains descending the grade toward Utica; on the same line between Philadelphia and Rivergate block is positive in both directions; on the main line Rome, Watertown & Ogdensburg between Richland and Pulaski, where there is double track, positive block is used; also on the same line between Edison and Pine streets, Watertown, block is positive descending the grade; between Salina and Woodard, where there is double track, positive block is used; between Suspension Bridge and Model City on the Western division main line, block is positive descending the grade; and on the Rochester branch positive block is used in both directions; on the Gouverneur & Oswegatchie railroad one train and crew do the operating, and on that line telephones are used when necessary.

The station buildings are generally in good repair, waiting rooms clean and neat; water for drinking is provided, and time-tables are posted in the waiting rooms. Fire extinguishers are furnished and water in barrels kept as protection against fire. The platforms are of plank, gravel, and stone screenings, and are well maintained. The station grounds are very well kept. At stations where there is a water system sanitary closets are provided; at the others, outside closets, generally in good condition. All station employees are uniformed and wear a badge indicating their employment.

The principal repairs and improvements noted as having been made since the last inspection (October, 1906) are as follows: 20 per cent. of the cross-ties on the Utica & Black River main line and Clayton branch have been renewed; 21 per cent. of the Rome, Watertown & Ogdensburg main line; 18 per cent. of the DeKalb branch and of the Gouverneur & Oswegatchie railroad; 28 per cent. of the Cape Vincent branch; 15 per cent. of the Carthage, Watertown & Sacketts Harbor railroad; 7 per cent. of the Carthage & Adirondack railroad; 17 per cent. of the Rome branch; 19 per cent. of the main line Western division; 14 per cent. of the Cape Vincent branch; and 15 per cent. of the Rochester branch; 12 miles of second-use 70-lb. rail have been laid on the Clayton branch replacing worn 60-lb. rail; 39.98 miles of new 80-lb. rail on the Rome, Watertown & Ogdensburg main line replacing worn 70-lb. rail; 4 miles of second-use 70-lb. rail on the DeKalb branch replacing worn 60-lb. rail; 3.70 miles of 67-lb. rail on the Carthage & Adirondack railroad replacing worn 60-lb. rail; and 24.86 miles of second-use 70-lb. rail on the main line Western division replacing worn 60-lb. rail.

Interlocking plants have been installed at the Syracuse, Brewerton, Charlotte, and Chaumont drawbridges.

Of the Clayton branch 13.80 miles have been re-ballasted with gravel; 46.25 miles of the Rome, Watertown & Ogdensburg main line with gravel and 13.50 miles with cinders; 9 miles of the DeKalb branch with gravel and 1 mile with cinders; 2 miles of the Gouverneur & Oswegatchie railroad with cinders; 1 mile of the Cape Vincent branch with gravel, and 5.40 miles with cinders; 6.40 miles of the Carthage & Adirondack railroad with gravel and 2 with cinders; 4.25 miles of the Rome branch with gravel and 0.25 mile with cinders; 0.50 mile of the Western division main line with gravel, 9 miles with cinders, and 16 with slag; 1 mile of the Rochester branch with cinders.

Four steel bridges have been put in on the Rome, Watertown & Ogdensburg main line replacing lighter structures; 30 open culverts and cattle passes with timber stringers on the Utica & Black River main line, 1 on the DeKalb branch, and 4 on the Western division main line have been replaced with metal and concrete and the openings to grade eliminated; 1 timber trestle on the Western division main line replaced with concrete culvert and filling; 1 open culvert on the main line Western division has been rebuilt; 6 box culverts on the Utica & Black River main line, 7 on the Rome, Watertown & Ogdensburg main line, one on the Cape Vincent branch, 3 on the Carthage, Watertown & Sacketts Harbor railroad, 2 on the Rome branch, 13 on the Western division main line, and 1 on the Phoenix branch have been replaced with cast-iron pipe; the masonry to 4 bridges on the Rome branch has been extensively repaired.

One station building has been erected on the Utica & Black River main line, 7 repaired, and 1 re-painted; 10 on the Clayton branch re-painted; 11 constructed on the Rome, Watertown & Ogdensburg main line, 5 repaired, and 13 re-painted; 1 on the DeKalb branch and 1 on the Gouverneur & Oswegatchie railroad repaired; 3 constructed on the Cape Vincent branch, 8 repaired, and 14 re-painted; 1 constructed on the Carthage, Watertown & Sacketts Harbor railroad, 1 repaired, and 2 re-painted; 1 constructed on the Carthage & Adirondack railroad, 2 repaired, and 3 re-painted; 6 on the Rome branch re-painted; 10 constructed on the Western division main line, 4 repaired, and 66 re-painted; 1 on the Phoenix branch repaired and 2 re-painted; and 10 on the Rochester branch re-painted. Among the new buildings constructed is included a commodious and modern design brick passenger station at Oswego; also a 20-stall engine house at that place.

Second main track has been constructed and put in operation on the Rome, Watertown & Ogdensburg main line from north of Salina to Woodard, and from Pulaski to Richland Junction, a total of 10.19 miles; in doing this an extensive bridge over the Salmon river at Pulaski was extended and new masonry constructed; 12 concrete culverts and cattle passes were also extended. Extensive renewals have also been made to ties and guard timbers of bridges.

Twenty-two miles of new fence have been built on the main line Utica & Black River railroad and 40 miles repaired; 61 miles rebuilt of the Rome, Watertown & Ogdensburg main line and 58 miles repaired; 2 miles rebuilt of the DeKalb branch and 7 miles repaired; 5 miles of the Gouverneur & Oswegatchie railroad repaired; 4.50 miles of the Cape Vincent branch rebuilt and 9 miles repaired; 3.50 miles of the Carthage, Watertown & Sacketts Harbor railroad rebuilt and 7 miles repaired; 7 miles of the Carthage & Adirondack railroad rebuilt and 8.7 miles repaired; 2.50 miles of the Rome branch rebuilt and 15 miles repaired; 12½ miles of the main line Western division rebuilt and 37 miles repaired; 0.5 mile of the Phoenix branch rebuilt and 10 miles repaired; 1 mile of the Rochester branch rebuilt and 1 mile repaired.

A new freight terminal has been constructed at Watertown, including an extensive freight house; at Ogdensburg changes have been made in the yard and new dock and transfer bridge constructed; minor changes and additions have been made to other freight yards, and passing tracks extended.

Recommendations: That the masonry to bridge No. 39 of the Cape Vincent branch, and Nos. 27, 130, 141, 142, and 250 of the Western division main line be rebuilt; that new ties and guard timbers be put on Nos. 53 and 126 of the Utica & Black River line, No. 165 of the Rome, Watertown & Ogdensburg main line, and the bridge over the Oswegatchie river at Harrisville, on the Carthage & Adirondack railroad; that warning signals at overhead obstructions be properly maintained and that all low telegraph and telephone wires be promptly raised to afford sufficient clearance; that new ties and proper guard timbers be put on trestle No. 3 of the Carthage & Adirondack railroad; that the poor masonry of open culverts and cattle passes referred to in the body of the report be rebuilt; that the poorer worn 60-lb. rail in the Western division main line be replaced; and the cracked angle plates on that rail be promptly removed and new ones put on.

Pennsylvania Division.

Inspected October 21, 22, 1908. Last previous inspection August 20, 1907.

The main line extends from Lawrenceville to Lyons, with 86.10 miles first track, 72.30 miles second track, 81.45 miles sidings and yard tracks; the Penn Yan branch extends from Dresden to Penn Yan, 6.55 miles single track, and 4.06 miles sidings and yard tracks. The main line is considerably crooked, especially south of Corning and in the vicinity of Geneva, but most curves are fairly light, with a maximum curve of 10 degrees at Corning; the grades are long and somewhat steep but regular, and some level grade, a maximum grade of 69 ft. per mile for 3275 ft. near Himrods. The Penn Yan branch is very crooked and has many sharp curves, with a maximum curve of 19 degrees at Keuka Mills; the grades are steep for much of the distance and considerably broken, one of 123 ft. per mile for 1805 ft. near Dresden. The cuts and embankments are of full width and proper slopes and the roadway is well drained. Sub-drains are used in ditches of wet cuts.

The steel and iron bridges of the main line are in good condition and of sufficient strength for all classes of motive power and rolling stock used, and are fairly well painted. One small girder bridge north of Presho has poor masonry, and the girders are supported on bents pending renewal of the masonry; all other masonry is good. The ties and guard timbers are of standard dimensions and in proper repair. Inside guard rails are maintained on all. There is only one small girder bridge in the roadway of the Penn Yan branch, in a trestle at Penn Yan: it is supported on framed bents on pile foundation and is in proper condition throughout. There are no wooden span bridges in the roadway, they being used only for overhead highway and farm crossings, and many bridges for that purpose are constructed of iron. All are in proper condition. The only overhead obstructions less than 21 ft. above the track on the main line are the West Shore bridge at Lyons and the D., L. & W. bridge at Corning: they are protected by warning signals in good condition. There are 4 low overhead bridges on the Penn Yan branch, all protected by warning signals properly maintained. There are no timber trestles in the main line roadway. There is one in the Penn Yan branch at Penn Yan, consisting of 13 spans of framed bents on pile foundation, of standard construction and in good repair. All open culverts and cattle passes that formerly existed in the main line roadway have been either covered with metal and concrete and tracks ballasted over them, or replaced with concrete arch or box culverts and the openings to grade eliminated. There are 2 in the roadway of the Penn Yan branch, with good masonry, I-beam stringers, standard ties and guard timbers, properly maintained. The arch, box, and pipe culverts are apparently in first-class condition.

On the main line the cross-ties are 7 x 9 in. 8 ft. long, yellow pine, 79 per cent. used, and 6 x 8 in. 8 ft. long, oak and chestnut, 21 per cent. used. On the Penn Yan branch, 74 per cent. are yellow pine, 7 x 9 in. 8 ft. long, and 25 per cent. are oak and chestnut, 1 per cent. cedar, 6 x 7 in. 8 ft. long; the ties are in good condition, very well spaced and full spiked. All curves exceeding 3 degrees have tie-plates and all have rails double spiked on the outer side. The ties are laid at the rate of 2816 to the mile of track.

The rail is all steel and the connections angle plates, as follows: Main line, 132.28 miles 80-lb. 36-in. plates 6 bolts, 3.44 miles 76-lb. 40-in. plates 6 bolts, 22.07 miles 75-lb. 40-in. plates 6 bolts, 0.81 mile 60-lb. 24-in. plates 4 bolts. On the Penn Yan branch, 0.89 mile 80-lb. 36-in. plates 6 bolts, 5.30 miles 75-lb. 40-in. plates 6 bolts, 0.36 mile 60-lb. 24-in. plates 4 bolts. The 60-lb. rail is somewhat worn, but is only in track at terminal points where movements of trains are slow, and the rail is in fair condition for such use. All the connections are full bolted and no loose bolts were discovered.

All main-track switches are split point and have rigid stands. On double track all facing switches are interlocked with distant signals, and some distant signals are used on the single track at obscure places, and some stands have high targets. All switches have proper targets, well painted. Switch and semaphore lamps show red light for danger and white for safety; green is used for caution. Practically all main-track frogs are spring rail and

properly maintained. Derailing switches are in all sidings upon which cars are left standing where the grade descends toward the main track; all have proper targets and in some cases are interlocked with main-track switch stands.

The main line is ballasted with gravel and cinders, generally in good quantity; the Penn Yan branch is ballasted with gravel and stone screenings, in good quantity. The alignment and surfacing of tracks are first class, and the outer rail on curves properly elevated for the speed at which the trains are scheduled.

The average length of sections and average force maintained are as follows: Main line, 3.14 miles, foreman and 4 men in winter, 6 men in summer; on the Penn Yan branch, 4 miles, foreman and 4 men in winter, 6 men in summer. Each gang is furnished with flags, lanterns, and torpedoes for protecting its work, and all portions of the track are patrolled daily by some member of the section force who works a portion of the time with the regular gang.

One track of the Geneva, Waterloo, Seneca Falls & Cayuga Lake Traction Company's railroad (electric) is crossed at grade north of Geneva: there are derailing switches in the track of the electric road, but the wire netting over the trolley wire is too short; 1 track of the Auburn branch of the N. Y. C. & H. R. R. north of Geneva: protected by signals that are interlocked; 2 tracks of the Erie railroad at Corning: protected by a modern and complete interlocking plant. The only interlocking plants maintained are at the crossing by a branch track of the N. Y. C. & H. R. R. main line at Lyons, the crossing of the Erie railroad at Corning, and at the east end of Corning yard, protecting the single track across the Corning bridge and the junction of the station track and the east end of the Corning yard.

All trees on the right of way have been cut and removed and there is no brush remaining excepting at a few places along Seneca lake, which has been left for protection. The fences are of wire: they are in good repair on the main line north of Corning, south of Corning some repairs are needed. On the Penn Yan branch some of the fence is poor and in places lacking.

The highway crossings are properly graded, planking in good condition, and are protected by signs of the diamond form properly placed and well painted. Metallic-slat cattle guards with proper guard fences are maintained at each boundary of the highways crossed at grade.

The crossings are protected as follows: On the main line, 9 by flagmen, 1 by gate, 2 by electric bells, 77 by crossing-signs; on the Penn Yan branch, 1 by flagman, and 9 by crossing-signs.

The movements of trains are governed by the telegraphic block system, absolute for passenger trains, permissive for freight.

The station buildings are in good repair, waiting rooms clean and neat; water for drinking is provided, and time-tables are posted in the waiting rooms. Fire extinguishers and water in barrels are furnished at stations for protection against fire. The station platforms are of gravel, cinders, stone screenings, and concrete, and are properly maintained. The station grounds are in fair condition. At stations where there is a water system sanitary closets are provided, and at others outside closets, fairly well kept. The station employees are uniformed and wear a badge indicating their employment.

The principal repairs, additions, and improvements noted as having been made since the last inspection (August, 1907) are as follows: The second main track on the main line between Corning and Lyons, nearly completed when last inspection was made, has been finished and put in use; extensions have been made to passing tracks; an addition to yard tracks at various places; a new middle passing track put in at East X, 4093 ft. in length; about 7 per cent. of the main line ties and 8 per cent. of those on the Penn Yan branch have been renewed; 8.14 miles of new 80-lb. rail have been laid in the main-line track replacing worn 75-lb. rail, and 0.34 mile of relayer 75-lb. rail on the Penn Yan branch replacing worn 60-lb. rail; 7 miles of the old track of the main line have been re-ballasted with gravel, $2\frac{1}{4}$ miles with cinders, and 12 miles of the new second track with gravel; 1 mile of the Penn Yan branch with stone screenings and

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cinders; 5 arch and stone-box culverts of the main line have been rebuilt or replaced with iron-pipe and filling; the masonry to 4 bridges of the main line has been rebuilt or extensively repaired; 2 new passenger stations built and 2 repaired; 1 iron bridge re-painted; $4\frac{1}{2}$ miles of main-line fence rebuilt, also $\frac{1}{4}$ mile of snow fence, 4.25 miles extensively repaired, and 4.75 miles of the Penn Yan branch fence repaired.

Recommendations: That the masonry to the small girder bridge north of Presho which is failing be rebuilt, and the fences be put in proper repair.

Boston and Albany Railroad.

Inspected October 16, 1908. Last previous inspection October 5, 1906.

The main line extends from Rensselaer to the Massachusetts-State line, 38.56 miles each first and second tracks, 20.26 miles third track, 34 miles sidings and yard tracks; the Hudson branch extends from Chatham to Hudson, 17.33 miles first track, 1.5 miles second track, 7 miles sidings and yard tracks. Both the main line and branch are considerably crooked, but most curves are light, a maximum curve of 6 degrees 40 minutes at Chatham on the main line, and 6 degrees at various places on the Hudson branch. The grades on the main line are long and fairly regular, the maximum of 42 ft. per mile at various places; on the Hudson branch there is a maximum grade of 190 ft. per mile for about a-half mile at Hudson. Both lines are well graded and properly drained. Considerable grading has been done for extension to the third track, and the work of extending the third track is in progress.

There is one tunnel on the main line, west of State Line: it is through natural rock, 620 ft. in length, and in first-class condition.

The steel and iron bridges are in good condition and fairly well painted; bridge 209 has one poor abutment and is supported on bents pending renewal of the bridge for the additional main track; bridge 211 has one poor pier: that is also supported on bents pending renewal of masonry and extension for additional track; both are in safe condition. The ties and guard timbers are ample and well maintained. Inside guard rails are maintained on all bridges. There are no wooden bridges in the roadway; those for overhead highway and farm crossings are well maintained, and in many cases iron bridges are used for such places. All less than 21 ft. above the track are protected by warning signals, properly maintained. There are no timber trestles remaining in the roadway. All open culverts and cattle passes that formerly existed on the main line, excepting one, have been covered with metal and concrete or replaced with concrete box culverts or iron-pipe and filling; the one remaining has good masonry, I-beam stringers, standard ties and guard timbers, in good repair. On the Hudson branch there are 6 remaining, the others having been covered or replaced; all have good masonry, I-beam stringers, and the ties and guard timbers are standard and properly maintained. The stone and concrete arch and box culverts and the iron-pipe drains are in good condition. A large portion of the open culverts and cattle passes that formerly existed have been replaced with arch or concrete box culverts, or have been covered with metal and concrete and the track ballasted over them.

The cross-ties on the main line are 7 x 9 in. 8 ft. long, 75 per cent. yellow pine and 25 per cent. chestnut; on the Hudson branch, 6 x 8 in. 8 ft. long, 75 per cent. yellow pine, 20 per cent. chestnut, 5 per cent. Princess pine. On the main line the ties are laid at the rate of 3200 to the mile of track; on the Hudson branch at the rate of 2816 to the mile. They are in good condition, evenly spaced and full spiked. On all curves above 3 degrees tie-plates are used; they are also used on many of the lighter curves, and all curves are double spiked on the outside of the rail.

The rail is all steel and connections angle plates, laid as follows: Main line, 25.25 miles 100-lb. 36-in. plates 6 bolts, 77.13 miles 95-lb. 20-in. plates 4 bolts; Hudson branch, 1.75 miles 95-lb. and 3.50 miles 80-lb. 36-in. plates 6 bolts, 13.58 miles 72-lb. 20-in. plates 4 bolts. The rail in the main line is in good condition, renewals being made as necessary. The 72-lb. rail in the

Hudson branch is somewhat worn but not in bad condition, and is being replaced as rapidly as appears necessary. All the connections are full bolted and bolts tight.

All main-track switches are split point and have rigid stands. On the main line all facing switches are connected with the automatic block signals. All have proper targets. Switch and semaphore lamps show red light for danger and white for safety. The main-track frogs are spring rail and properly maintained. On sidings where cars are left standing where the grade descends toward the main track, in most cases there are derailing switches, in some places wooden blocks secured to the rail are used in their stead. All derailing switches have proper targets.

All but about 6 miles of the track of the main line are well ballasted with broken stone, the remaining 6 miles with gravel in good quantity. The Hudson branch is very well ballasted with gravel and cinders. The alignment and surfacing of the track are good, and the outer rail on curves properly elevated for the speed at which the trains are scheduled.

The average length of sections and average force employed are as follows: Main line, 4 miles, foreman and 5 men in winter, 12 men in summer; Hudson branch, 6 miles, foreman and 3 men in winter, 7 men in summer. Each gang is furnished with flags, lanterns, and torpedoes to protect its work, and all portions of the road are patrolled daily by some member of the section force.

No railroads are crossed at grade by the main line. The Hudson branch crosses at grade 4 tracks of the New York Central & Hudson River railroad at Hudson: protected by a modern and complete interlocking plant; 1 track of the Albany & Hudson railroad (electric) at Hudson Upper: there are no derailing switches in the track of the electric road nor protection over the trolley wire.

The only interlocking plants maintained are at east end of Rensselaer yard and at the west end of Chatham yard; they are modern plants, in proper condition.

The right of way is free from trees, brush, and rubbish. The main line is fenced with wire, in good condition. On the Hudson branch, in cases where property owners agreed to maintain fences, they are not in good condition, and in some cases are lacking. Most of the fences are of wire.

The highway crossings are well graded and planking properly maintained; they are protected by signs of the finger board design on the main line, one on either side of the railroad crossing; on the Hudson branch a single crossing-sign is used. They are properly located and well painted. Metallic-slat cattle guards with suitable guard fences are maintained at each boundary of the highways crossed at grade. The crossings are protected as follows: Main line, 3 by flagmen, 4 by gates, 1 by electric bells, 19 by crossing-signs; Hudson branch, 5 by flagmen, 7 by gates, 1 by crossing-sign.

The movements of trains on the main line are governed by automatic electric block signals of the banjo form; they are not regularly spaced, and are now being replaced with a modern system of two-armed semaphores showing the condition the two blocks in advance of trains. On the Hudson branch trains are governed by the telegraphic block system, positive for passenger trains.

The station buildings are in first-class repair, clean and neat, and properly furnished; water for drinking is provided, and time-tables are posted in the waiting rooms. The station platforms are of concrete, plank, and gravel, and are well maintained. At all stations on the main line except Brookview, sanitary closets are provided; also at Hudson Upper and Claverack on the Hudson branch; at other stations are outside closets. The station yards are in good condition. All station employees are uniformed and wear a badge indicating their employment.

The principal repairs and improvements noted as having been made since the last inspection (October, 1906) are as follows: About 15.26 miles of additional third main track have been constructed; passing sidings and yard tracks have been extended, about 2 miles of additional track having been built; the work is well under way for 2.55 miles of additional third track, and for 1.10 miles of additional sidings; about 25 per cent. of the main line cross-ties have been renewed, and 15 per cent. of those on the Hudson branch;

about 21 miles of new 100-lb. rail have been laid in the main-line tracks, replacing 95-lb. worn rail; about 6 miles of double track in the main line have been re-ballasted with broken stone and 4 miles with gravel; the new third track has been fairly well ballasted with gravel, cinders, and stone. A new steel truss overhead highway bridge has been put in east of Chatham replacing a wooden bridge; a new steel girder bridge on eastbound main track east of Chatham replacing a lighter bridge; a new undercrossing bridge $1\frac{1}{4}$ miles west of Chatham eliminating two grade crossings. A new water supply station has been installed at Payne's Mill, two miles east of Chatham. A new steel truss overhead highway bridge has been put in half a mile east of Brookview replacing a wooden bridge; a new iron bridge put in one mile west of Chatham, the highway crossing under the railroad being widened and new masonry constructed; an extensive new retaining wall and abutment are nearly completed at an overhead highway bridge just west of Van Hoesen. A new water supply station put in at Brookview. A new engine house, coaling plant, ash pits, etc., constructed at Rensselaer, the engine house containing 21 stalls; and new automatic double-armed electric semaphore signals are being constructed.

Recommendation: The property is being well cared for. The only recommendation considered necessary is that the fences on the Hudson branch be put in proper repair.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

NEW YORK CENTRAL, HUDSON RIVER AND FORT ORANGE RAILROAD.

Inspected October 25, 1908. Last previous inspection August 9, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the New York Central, Hudson River & Fort Orange railroad, and respectfully submit the following report:

The New York Central, Hudson River & Fort Orange railroad is practically a switching track for handling cars between the New York Central & Hudson River railroad station at Castleton and the mills of the Fort Orange Paper Company, which are located north of the village of Castleton. The length of the road is approximately one mile, and in the vicinity of the mills there is approximately a mile of siding and yard tracks.

The road is quite crooked after leaving the line of the New York Central tracks and the curves are sharp. The grades are very light excepting in the paper mill yard where tracks leading to coal trestles are steep. The grading is light, embankments are fair width, and while some small cuts are narrow they are fair width for a road of this class. There are no bridges or openings to grade in the roadway. A coal trestle on a switch in the yard has a very steep grade in the approach; it is the intention to change the location of the main track to higher ground and reduce this grade the coming season.

The cross-ties are mainly yellow pine 6 x 8 in. 8 ft. in length, and laid at the rate of 2816 to the mile; the ties are in fair condition for track of this character, about 500 ties having been renewed since last inspection.

The track is laid with mixed rail varying from 50 to 60 lbs. per yard, connected by angle and Fish plates 24 in. in length with 4 bolts. Considerable rail has been renewed and track put in better condition since last inspection. Both split point and stub switches are in use, and nearly all have rigid stands, many of them without targets. The stub switches are in the yard at the mill. Frogs are rigid. The track is ballasted with a light quantity of cinders and the alignment and surface are fair with outer rail of curves sufficiently elevated for the slow speed, 6 to 8 miles an hour, at which trains operate.

The right of way is not defined; no fences are maintained and are hardly necessary as the road runs through property belonging to the mill company owning the railroad. There is one highway crossing which is well graded, properly planked, and protected by a sign of triangular form.

No regular track force is employed; men employed about the mill do whatever work is necessary.

The road owns no station buildings. No regular trains are run or passengers carried. The business consists in hauling freight for the Fort Orange Paper Company and the adjoining mill.

The road is practically a yard track, is in fair condition for the service required, and no recommendations appear necessary.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

NEW YORK, CHICAGO AND ST. LOUIS RAILROAD.

Inspected October 10, 1908. Last previous inspection April 25, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the New York, Chicago & St. Louis railroad, and respectfully submit the following report:

The portion of the New York, Chicago & St. Louis railroad in the State of New York extends from a connection with the main line of the Erie railroad at Seneca street, Buffalo, to the Pennsylvania-State line near Ripley, a distance of 68.22 miles, and has 7.84 miles of second main track and 33.11 miles of sidings and yard tracks.

The general alignment of the road is very good. There is one curve of 5 degrees between Tiff yard and Buffalo Junction; aside from that, the greatest curve is 3 degrees 30 minutes, located near Blasdell. The grades of the road are generally light and regular; the maximum, a one per cent. grade, or about 53 ft. per mile, for 4300 ft. east of Lakeview.

The cuts and embankments are of good width, and the roadway is well drained. The road for about one-half its length in this State is built close alongside the Chautauqua division of the Pennsylvania railroad, and on that portion of the road the iron bridges, open culverts, cattle passes, etc., are joint structures and the station buildings are used jointly. The steel and iron bridges and viaducts are generally in good condition. The flood bridge about one mile west of Irving station, which is a joint structure with the Pennsylvania road, and which was badly damaged by a freshet about four years ago, is now being repaired. This bridge consists of 4 spans of deck plate girder. The southerly pier and south abutment were undermined by the freshet; the pier is being repaired, piles having been driven around it, and after the inclined top surface of pier has been squared up, the pier is to be encased with concrete, and concrete coping to carry the girders. At the time of inspection, this work was in progress and forces were engaged in tearing out the Pennsylvania company's half of abutment, which I understood was to be entirely removed and new half abutment built, the New York, Chicago & St. Louis company's half to be repaired if conditions permitted its being done. No arrangements have been made, and I believe they do not intend, to raise the grade of the railroad at this point. The masonry at bridge No. 25, which is failing, was being rebuilt at time of inspection. There are several steel viaducts; at No. 9 the east abutment is built on rock which apparently is moving toward the gorge. Excavation has been made to the rock and it is now being watched to determine if there is any movement, and to take such measures as are necessary to remedy same. The masonry to the remaining bridges is very good, the bridge floors are standard and in good repair, and inside guard rails are maintained. There are no wooden bridges excepting one or two overhead highway bridges; these, as well as those of iron, are protected by warning signals where clearance is less than 21 ft. above track. There are 6 pile or framed bent trestles, the longest about 350 ft. in length, generally in good repair; the timber in No. 34 is getting old, as is also the deck, and repairs will be needed in the near future. Three trestles, Nos. 15, 15½, and 16, have been filled since last inspection. Inside guard rails are maintained on all trestles. Almost all of the open culverts and cattle passes are constructed entirely of timber, and

are generally in good condition; 4 open culverts have been replaced by iron pipe culverts or concrete box. The arch, box, and pipe culverts are apparently in good condition.

The standard dimensions of cross-ties are 6 x 8 in., 8 ft. in length. They are 70 per cent. oak, 20 per cent. cedar, and 10 per cent. chestnut, and are laid at the rate of 2992 to the mile of track. They are full spiked and generally in good condition; about 10 per cent. have been renewed since last inspection in 1907. In Buffalo, 1.03 miles of main track are laid with 60-lb. steel rail greatly worn and should be replaced; 20.64 miles are laid with 65-lb. steel rail, some of it considerably worn and should be replaced; 54.39 miles are laid with 75-lb. steel rail in good condition, about 27 miles of it having been laid, in place of worn 65-lb., since last inspection; 28.5 miles of 75-lb. rail are laid with continuous rail joints 22 in. in length, with 4 bolts; 47.56 miles of track are laid with angle plates 22 in. long, with 4 bolts. The connections are full bolted, some loose bolts and a few cracked angle bars were observed. The main-track switches are split point and have automatic as well as rigid stands, with proper targets well painted. Some high targets are maintained. Switch and semaphore lamps show red light for danger and white for safety. Frogs are spring rail and well maintained. Derailing switches are in sidings where their use appears necessary. The road is ballasted with gravel and cinders, and there are places where additional ballast would be beneficial. No ballasting has been done since last inspection. The alignment and surfacing of track are good, and outer rail on curves properly elevated for speed at which trains are scheduled.

The track sections are about 5½ miles in length, and the average force employed on each consists of a foreman and 5 laborers. Each gang is furnished with flags, lanterns, and torpedoes. All portions of the track are patrolled daily by the section foreman and his force.

The following steam and electric railroads are crossed at grade: Erie, Buffalo & Southwestern branch, one track crossed by two freight tracks of N. Y., C. & St. L. at East Buffalo: the crossings are protected by a tilting board signal and all trains are required to come to a full stop before crossing. Delaware, Lackawanna & Western railroad, two tracks near Smith street, Buffalo: the crossing is protected by disc signals located on a tower and all trains are required to come to a full stop before crossing. This is the crossing where the Board of Railroad Commissioners had taken up the question of elimination. Buffalo Creek railroad, two tracks at South Buffalo: crossing protected by a tilting board signal and all trains required to come to a full stop before crossing. Erie railroad, Buffalo & Southwestern branch, one track at Blasdell: the crossing is protected by tilting board signal and all trains are required to come to a full stop before crossing. Erie railroad, one track at Dunkirk: the crossing is protected by tilting board signal and all trains are required to come to a full stop before crossing. Dunkirk, Allegheny Valley & Pittsburgh railroad, one track at Dunkirk: the crossing is protected by a tilting board signal and all trains are required to come to a full stop before crossing. Dunkirk & Fredonia railroad (electric), one track at Dunkirk: trough on trolley wire, but no derails in electric railroad track; the conductors of trolley cars pilot their cars across. The grade crossing of The Chautauque Traction Company's track at Westfield has been eliminated, the trolley track now crossing overhead on an iron truss bridge. There are no interlocking plants maintained. The right of way is clear and clean. The fences, of wire and board, are in fair repair; fences are lacking at some points. Some new fence has been built and about 40 miles of old fencing repaired since last inspection. Mile-posts are boards attached to telegraph poles. The highway crossings are well graded, properly planked, and are protected by signs of the X form properly placed and well painted. There are 69 crossings protected in this manner, and in addition there are 16 crossings protected by flagmen, without gates; 1 by gates and 2 protected by electric bells. A few crossings have cattle guards of the wooden-slat pattern; many crossings are without guards. Where the Pennsylvania railroad tracks adjoin the track of the New York, Chicago & St. Louis railroad, the two tracks are often at different elevations, and while guards may be

in place between the rails, they are lacking between the tracks of the two companies. Whistle-posts are maintained at proper distance from crossings.

The movements of trains are governed by the telegraphic train order system. Trains are held 5 minutes at station after the departure of a freight train, and 10 minutes after that of a passenger train.

The station buildings are in good repair and are properly furnished, platforms of plank and gravel and in good condition.

About 10 per cent. of the cross-ties have been renewed since last inspection and 28.5 miles of new 75-lb. steel rail have been laid, replacing same amount of 65-lb. rail; 4.3 miles of new fence have been built and 41.1 miles extensively repaired; 3 timber trestles have been filled, iron girders or concrete structures taking care of smaller openings; 4 open culverts have been filled with cast-iron pipe to care for drainage; 4 open culverts and cattle passes have been extensively repaired; the freight house at Dunkirk renewed on account of fire destroying old one. A number of freight and passenger stations have been re-painted; bridges Nos. 9, 14, and 22 have been re-painted; Nos. 1 and 19 re-painted below floor; No. 21 has had 4 towers re-painted, and Nos. 26, 39, 41, and 44 have had the tops of girders painted. Subways for the Buffalo & Lake Erie Traction Company have been built at Dunkirk and Farnham; at Westfield a grade crossing eliminated and overhead bridge constructed at North Portage street. Bridge No. 21, viaduct 1743 ft. in length, has had entire floor renewed; and a new electric alarm signal has been installed at Derby crossing.

Recommendations: That cattle guards with suitable guard fences be maintained on each side of all highways crossed at grade, and that the badly worn rail be replaced.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

NEW YORK, NEW HAVEN AND HARTFORD RAILROAD.

Inspected October 29, 1908.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the New York, New Haven & Hartford railroad, and respectfully submit the following report:

The portion of the main line situated in this State and outside of the territory of the Public Service Commission, First District, extends from the New York city line at Mt. Vernon to the Connecticut-State line. The portion of the Harlem River & Port Chester railroad, or Harlem River branch as it is called, outside the First District territory, extends from New Rochelle Junction to New York city line, Pelham Manor. New England railroad extends from Hopewell Junction on the line of the Newburgh, Dutchess & Connecticut railroad to the Connecticut-State line near Mill Plain. There is also a portion of the New England railroad extending from Wicopee Junction to Fishkill Landing, 1.65 miles of single track, but as this portion is under the jurisdiction of the Central New England railroad the mileage is not included in the above length of line. The trackage in miles within the Second District is as follows:

LENGTH OF LINES.

Division or Branch.	1st.	2nd.	3rd.	4th.	5th.	6th.	Siding and yard.
Main line.....	13.25	13.32	13.32	13.25	..1.67	..1.60	12.60
Harlem River.....	1.67	1.63	1.63	1.60			.65
New England railroad.....	28.76	27.78	.....	.....	.....	.....	12.16
Total.....	43.68	42.73	14.95	14.85	1.67	1.60	25.41

The general alignment is good and all curves light. The maximum curve is 3 degrees 7 minutes, at Port Chester station. The grades are also light and for the greater part of the length level. The maximum grade is 30 ft. per mile for about 1.2 miles between New Rochelle and Larchmont. The Harlem River branch has good alignment. The maximum curve is 1 degree 30 minutes, between Pelham Manor and Woodside, and the maximum grade 31 ft. per mile for about $\frac{1}{2}$ mile between the same points.

The roadway is well graded and thoroughly drained on both main line and branch. All bridges are steel or iron, erected on good masonry, and have standard ties and guard timbers in good condition; two new bridges have been erected on main line, replacing lighter ones, and one new bridge on the Harlem River branch; inside guard rails are maintained on all openings to grade. There are no wooden bridges or timber trestles in the roadway. Open culverts have good masonry, I-beam stringers, and standard floors in good repair. The arch, box, and pipe culverts are in good condition.

Cross-ties on the main line are 84 per cent. chestnut, 5 per cent. oak, 11 per cent. creosoted; of the chestnut ties 35 per cent. have been renewed since June 30, 1907, and 30 per cent. of the oak. On Harlem River branch 25 per cent. are chestnut, 3 per cent. oak, 72 per cent. creosoted; 59 per cent. of the chestnut and oak have been renewed since June 30, 1907. The standard dimensions are not less than 6 x 6 in., 8 ft. in length for chestnut and oak ties, and 7 x 8 in., 8 ft. in length for the creosoted ties. The cross-ties are in first-class condition, extensive renewals having been made since last inspection. They are evenly spaced, full spiked, and are laid at the rate of 3168 to the mile of track. Tie-plates are used on curves and double spiked on outside. Screw spike are used in the creosoted ties.

The main line and Harlem River branch tracks are laid with 100-lb. steel rail connected by angle bars 24 in. in length with 4 bolts, suspended joints. The rail and connections are in first-class condition, except some rail in track No. 2, main line, which is worn and is to be replaced. The switches are split point and have automatic stands with well painted targets. Switch and semaphore lamps show red light for danger and green for safety. Frogs are spring rail and derailing switches are in sidings where their use appears necessary. The tracks on main line and branch are well ballasted with broken stone. The alignment and surfacing of tracks are excellent on main line and good on Harlem River branch, where track rearrangement and construction is in progress. The outer rails on curves are properly elevated for the fast speed maintained. On main line the average length of track sections is 2 miles (8 miles single track) with an average force on each of foreman and 5 laborers in winter and foreman and 9 laborers in summer. On Harlem River branch the average length is 3 miles (or 12 miles single track as only 4 tracks are now in use), with average force on each of foreman and 2 laborers in winter, foreman and 17 laborers in summer. Each gang is furnished with flags, lanterns, and torpedoes for protecting work, and all portions of the track are patrolled daily by some member of the section gang. There are no grade crossings of steam or electric railroads. On the main line interlocking plants are maintained at South Mt. Vernon, Mt. Vernon, New Rochelle Junction, New Rochelle yard, Mamaroneck, Harrison, and Rye, governing all approaches to yards, crossovers and other tracks connecting with main track; there are no interlocking plants on the Harlem River branch.

The right of way is clean and clear, free from trees, brush, and rubbish. Fences are maintained where necessary. Mile-posts are properly located. There are no highways crossed at grade. The movements of trains are governed by manual controlled block system. The station buildings are in first-class condition and properly furnished.

Since last inspection in June, 1907, the following repairs and improvements have been made: 35 per cent. of the chestnut and 30 per cent. of the oak cross-ties have been renewed; 5.27 miles of new 100-lb. steel rail have been laid replacing a like amount of worn 100-lb.; 2 steel bridges Nos. 11 and 41 have been replaced with heavier bridges and the east abutment of bridge No. 11 rebuilt; a 50-ft. extension has been made to the Mt. Vernon freight house and platform rebuilt; 7 miles of wire fence and 0.17 mile of stone fence have been

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built; 10 miles of fence repaired, and a subway constructed at Pelham. On the Harlem River branch: 59 per cent. of the oak and chestnut ties have been renewed; 2½ miles of track have been re-ballasted with broken stone; at Main street, New Rochelle, a new steel bridge of 106-ft. span has replaced a 96-ft. span, and steel work put in for 2 additional tracks at Kings Highway and at Webster avenue, New Rochelle; 0.55 mile of track laid in new yard at Pelham Manor, and new passenger subways constructed at Pelham Manor and Woodside.

No recommendations are necessary. A great improvement has been made in track conditions since last inspection.

Respectfully submitted,
E. F. VAN HOESN,
Steam Railroad Inspector.

NEW YORK, ONTARIO AND WESTERN RAILWAY.

Inspected July 13-18, 31, 1908. Last previous inspection June 25-29, 1906.
To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the New York, Ontario and Western Railway Company's lines in this State, and respectfully submit the following report:

The New York, Ontario and Western Railway Company operates in the State of New York the following named lines of railroad:

Main line from a connection with the West Shore railroad at Cornwall to Oswego, double track between Cornwall and Cadosia, with the exception of that portion between Strongtown, Liberty, and Young's Gap, 6.52 miles, where the second track is nearly completed, and through the Bloomingburgh, Fallsburgh, and Hawk Mountain tunnels, where only a single track is maintained; the main line is operated as two divisions, Southern division that portion south of Sidney, Northern division north of that point. Ellenville branch and Ellenville & Kingston railroad, single track, from junction with main line at Summitville to Kingston. Port Jervis, Monticello & Summitville railroad, single track, from junction with the main line at Summitville to Port Jervis, with branch from Valley Junction to Monticello. Scranton division, single track, from junction with the main line at Cadosia to the Pennsylvania-State line near Hancock. Delhi branch, single track, from a connection with the main line at Walton to Delhi. New Berlin branch, single track, from New Berlin Junction on main line to New Berlin. Wharton Valley railroad, single track, from New Berlin to Edmeston. Pecksport Connecting railway, single track, from Whites Corners on the main line to Pecksport on the Utica division. Utica Division, single track, from Randallsville on the main line to Utica. Rome branch, single track, from Clinton on the main line of Utica division to Rome.

LENGTH OF TRACK IN MILES.

Division or Branch.	Main track.	Second track.	Sidings and yard tracks.
Southern.....	147.45	100.27	67.96
Ellenville.....	7.80	.....	.95
Ellenville & Kingston.....	27.14	.....	6.37
Port Jervis, Monticello & Summitville.....	38.27	.....	4.84
Scranton.....	2.91	.....	.59
Delhi.....	16.84	.....	2.62
Northern.....	124.30	.....	48.96
New Berlin.....	22.38	.....	2.66
Wharton Valley.....	6.80	.....	1.29
Pecksport Connecting.....	3.6984
Utica.....	31.30	18.63
Rome.....	12.78	2.76
Total.....	441.66	100.27	158.47

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The Southern division, including the branch lines, has many curves and steep grades. The main line grades are long and fairly regular. The road crosses a number of summits, and at four of them there are tunnels, the longest being 3854 ft. in length. The Northern division, including branch lines, is very crooked on the southern portion, with long and steep grades; on the northern portion the road is fairly straight and grades are light.

MAXIMUM CURVES AND GRADES.

Division or Branch.	MAXIMUM CURVE.			MAXIMUM GRADE PER MILE.			
	Degree.	Length.	Location.	NORTHBOUND.		SOUTHBOUND.	
				Rate.	Length.	Rate.	Length.
Southern Div., main line.....		<i>Feet.</i>				<i>Miles.</i>	
Ellenville branch and Ellenville & Kingston R. R.	7°	1,700	Cooks Falls.	105	0.10	95	0.20
Port Jervis, Monticello & Summitville.....	10°	320	.....	58	0.14	68	1.16
Scranton.....	13° 19'	829	Valley Jun.	66	0.55	122	2.80
Dehi.....	8° 16'	1,100	Cadosia.....	39	1.15	26	1.20
Northern Div., Main line.....	8°	1,675	Walton.....	63	0.50	70	0.30
New Berlin.....	6°	2,122	Guilford.....	109	1.19	95	0.39
Wharton Valley.....	6°	1,300	.....	49	0.30	71	0.72
Pecksport Connecting.....	10°	400	.....	79	0.23	79	0.32
Utica.....	8°	910	.....	26	1.00	4	0.90
Rome.....	7°	849	.....	52	0.40	79	0.26
				52	0.40	44	0.85

The cuts and embankments are generally of full width and proper slope. On the Southern division, and on the Kingston and Monticello branches, there are some cuts with sliding banks, which have concrete masonry, stone wall, or pile and timber walls to hold the bank and prevent the material from filling ditches and getting on track; these walls are generally well maintained. Sub-drains are used in a few wet cuts. North of Horton is a short rock cut which should be gone over occasionally to see that there are no loose pieces liable to fall on track. There are 4 tunnels on the Southern division, all single track. Bloomingburgh tunnel is 3854 ft. in length, about one-fifth of it lined with stone and brick arch, the balance through natural rock. Fallsburgh tunnel is 1024 ft. in length, about two-fifths of it lined with stone and brick arch, the balance through natural rock. Hawk Mountain tunnel, or Hancock tunnel as it is sometimes called, is 1128 ft. in length: at last inspection 240 ft. had stone and brick arch, 312 ft. lined with timber, and remainder through natural rock; at the time of inspection just made, force was at work replacing some of the timber lining with masonry side walls and brick arch; the material under cross-ties was being taken out down to solid rock, and broken stone ballast will be put in its place; a line of drain pipe will be laid on each side of track through the tunnel to give drainage. The Northfield tunnel is 1636 ft. in length: a little over one-half of it has stone and brick arch lining, the remainder through solid rock; on account of the failure of the brick lining in places, most of it has been re-lined with steel plates. All the tunnels are apparently in safe condition, and when the work is completed at Hawk Mountain tunnel, the track through them will be ballasted with broken stone.

The steel and iron bridges are in good condition and generally well painted; some that require it will be re-painted this season. On the Southern division of main line, Cornwall to Cadosia, and on Scranton division, the bridges are calculated to carry the heaviest class of motive power and rolling stock used by the company. A number of light bridges on branch lines have been replaced with heavier ones since last inspection. The heaviest motive power is not operated over those branches where bridges are considered a little light

for that class of power. The same is true for the northern division and branches. There are 8 steel viaducts on the main line Southern division, 1 on Kingston branch, 2 on Scranton division, and 1 on New Berlin branch; the Northern division main line has 4, and the Utica branch 1. These viaducts are all in good condition with concrete or stone masonry foundations. The decks are standard construction and in good condition generally. The steel viaduct south of Liberty is being erected for second track, and the steel viaduct just north of Liberty has had steel work erected for second track, and new deck was being put on at time of inspection. The overhead steel and iron highway and farm bridges are in good repair, and all overhead obstructions less than 21 ft. above rail are protected by warning signals, which were in good condition at time of inspection. There are no wooden bridges in the roadway of the main line or branches. The Southern division has a few wooden overhead highway or farm crossing bridges, and the Northern division has all wooden bridges of this character. They are in proper repair and all less than 21 ft. above rail are protected by warning signals. There are no timber trestles on the main line of the Southern division; the Port Jervis, Monticello & Summitville railroad has 2 short ones with pile bents; the Delhi branch has 2, 240 and 346 ft. in length with timber bents, all timber getting old. The Northern division has a number of trestles from 24 to 332 ft. in length; the New Berlin branch has 3 and the Utica branch has 6. A number of the main-line trestles should have renewals made where necessary to stringers which have been burned, and in one or two cases should have the bents plumbed where they are leaning. On Southern division main line and on the Port Jervis, Monticello & Summitville railroad, all open culverts and cattle passes have I-beam stringers and masonry abutments, except 1 culvert on Monticello branch which has wood stringers. The Kingston branch and Delhi branch have nearly all I-beam stringers with masonry abutments. The masonry on the P. J., M. & S. and on Delhi branch needs some repairs and renewals. On the Northern division nearly half of the open culverts and cattle passes have wood stringers, with framed bents, planked behind, for abutments. The New Berlin branch has, all but two, wooden stringers with framed bents, planked behind, or abutments of timber cribbing for the greater part of them. The Utica branch has one-third and the Rome branch one-half of the open culverts and cattle passes with wood stringers and the framed bent, planked, or timber cribbing for abutments. Some repairs are needed to the masonry on the main line, and Utica and Rome branches, and renewals are necessary for some of the stringers and decks on these divisions and also on the New Berlin branch. The arch, box, and pipe culverts are apparently in good condition.

The standard cross-ties are 6 x 8 in. and 6 x 9 in., 8 ft. in length; on the Northern and Southern divisions, the New Berlin branch, the Peckspor Connecting railway, and the main line of the Utica division, they are laid at the rate of 3168 to the mile of track; on the remaining branch lines they are laid at the rate of 2816 to the mile of track. The Southern division ties are about 95 per cent. yellow pine, 5 per cent. chestnut and oak; Northern division 90 per cent. yellow pine, 10 per cent. chestnut and oak; on the branch line tracks the percentage of oak and chestnut is a little greater, except on the Ellenville & Kingston, where the ties are all yellow pine. The ties are full spiked, generally well spaced, and necessary renewals are being made. On the Rome branch renewals are being made where new rail is to be laid; north of this point at the northern end of the line, however, there should be renewals made where at the time of inspection there have been no ties distributed. On the main line on some of the heavy grades the cross-ties are badly skewed, due to the creeping of the rails; at the time of inspection, these ties were being straightened and anti-creepers were being attached to rail to prevent this movement of the rail.

All the main tracks are laid with steel rail, as follows:

MILES OF RAIL LAID.

Division or Branch.	95-lb.	76-lb.	75-lb.	67-lb.	62-lb.	56-lb.	Total.
Southern.....	36.46	94.07	16.92	.....	.....	.....	147.45
Northern.....		114.07	10.23	.....	.....	.70	124.30
Ellenville.....			.....	7.10	.....	.....	7.80
Ellenville & Kingston.....				25.89	.....	1.25	27.14
P. J., M. & S.			35.19	2.33	.....	.75	38.27
Scranton.....		2.79	.12	.....	.....	.....	2.91
Delhi.....				3.18	.....	13.66	16.84
New Berlin.....			22.38	.....	.....	.....	22.38
Wharton Valley.....			6.80	.....	.....	.....	6.80
Pecksport.....		3.69	.....	.....	.....	.....	3.69
Utica.....		5.35	11.70	14.25	.....	.....	31.30
Rome.....			.21		4.42	8.15	12.78
Total.....	36.46	219.97	103.55	52.75	4.42	24.51	441.66

The 95-lb. rails are connected by angle plates 36 in. in length with 6 bolts, the 76-, 75-, 67-, and 56-lb. rails by angle plates 36 in. in length with 4 bolts, and the 62-lb. rails by angle plates 24 in. in length with 4 bolts. The 95- and the 75-lb. rails are in good condition, the 76-lb. rail in fair condition. On the New Berlin branch and Wharton Valley railroad the 56- and the 50-lb. rails have been replaced with 75-lb., and most of the 56-lb. rail that was laid on the P. J., M. & S. R. R. has been replaced with 75-lb. rail. On the Rome branch about 6 miles of 62- and 56-lb. rails are now being replaced with a like amount of 75-lb. rail. On the Southern division main line the rail in the piece of single track between Strongtown and Young's Gap, through Liberty, is worn badly on the curves and will be replaced when the second track is completed between those points. There were very few loose track bolts observed and joints were full bolted.

All main-track switches are split point and have automatic switch stands. The targets are well painted. Many high targets are used at outlying and obscure switches and in many cases there are distant signals interlocked with the switch stands. Where electric block signals are in operation the switches are properly connected with the signaling apparatus. Main-track frogs on the main line and on most of the branches are spring rail. The Delhi branch and Rome branch have rigid as well as spring rail frogs. Derailing switches are in all sidings connected with main track where grade descending towards switch makes their use necessary, and the stands are supplied with targets.

Culm from the coal mines is principally used for ballast, and gravel and cinders used to some extent. Considerable gravel has been used in ballasting on Monticello branch. There are a number of places on main line where additional ballast would be beneficial, particularly between Sherburne Four Corners and a point north of Smyrna where ballast is light, and also south of Randallsville. On the branch lines there are places where additional ballast is desirable.

The alignment and surfacing of the main-line track are generally good except where ballast is light, and at those points the surface could be improved. On the branch lines the alignment and surfacing are fair to good. On the Delhi branch, the Wharton Valley R. R., and the Rome branch there are many places where the line and surface could be improved, particularly the surface. The outer rail on curves is properly elevated.

The track sections are generally 5 miles in length, and the section force consists of foreman and 5 laborers on single track, and a foreman and 7 laborers on double track. Each gang is furnished with flags and torpedoes for protecting its work. Regular track walkers and night watchmen are employed where necessary, and all portions of the road are patrolled daily.

The following steam and electric railroads are crossed at grade: One track of the Lehigh & Hudson River railway by the double-track main line at

Burnside: the crossing is protected by an interlocking plant and derails are in all tracks. At Campbell Hall, one track of the Erie Railroad Company's Montgomery branch, by double-track main line: the crossing is protected by interlocked signals only, and all trains come to a full stop before crossing. The Wallkill Valley railroad operates over the Erie track, and over the Ontario & Western track for a short distance, and the Central New England joins the Erie by a switch taken out of the Erie track north of the crossing and between the crossing and the Erie signal; it would seem desirable to put in a more up-to-date plant at this point. At Sidney, two of The Delaware and Hudson Company's tracks are crossed by one track, the crossing protected by mechanical interlocking plant, no derails in tracks. At Sylvan Beach Junction, one track of the Lehigh Valley railroad connects with the N. Y., O. & W. tracks: trains of the Lehigh Valley railroad enter upon the track of the New York, Ontario & Western railroad and run for about 600 ft. upon that track crossing the bridge over the barge canal and then branching off on the opposite side; a mechanical interlocking plant controls and protects the movement by proper signals and derails in all tracks. At Central Square, one track of the Rome, Watertown & Ogdensburg railroad (operated by The New York Central and Hudson River Railroad Company) is crossed by two tracks: the crossing is protected by a tilting board signal and all trains are required to come to a full stop before crossing; the crossing frogs are not in good alignment and the drainage is poor; the crossing should have good stone ballast with drain to carry away the water; this crossing is maintained by the Rome, Watertown and Ogdensburg Railroad Company. A switching track leading to the dock and another leading to the coal trestle in Oswego are crossed by the single track of the Rome, Watertown & Ogdensburg railroad: each of these crossings is protected by a tilting board signal and all trains are required to come to a full stop before crossing. One track of the Oswego Traction Company (electric) is crossed on Tenth street, Oswego: no protection over the trolley wire and no derails. The Port Jervis, Monticello & Summitville railroad has one track crossed by the single track of the Port Jervis Electric Light, Power, Gas and Railroad Company on Ball street, Port Jervis. A derailing switch, which was installed on the recommendation of the Board of Railroad Commissioners, is located in the track of the electric railroad on the steep hill above the crossing and 78 ft. distant from the center of the New York, Ontario and Western Railway Company's track. While your inspector was on the ground a car came down the hill and stopped at the derail, which was open, the conductor walked down to the crossing to see if track was clear, then returned to the derail and closed it by placing a small block in the jaw; after car had passed derail it stopped long enough to enable the conductor to open the derail and get on board car, which then proceeded over the crossing; there is nothing to prevent the conductor closing the derail without first going to the crossing, should he so desire. The derailing switch should be operated by a lever placed on the opposite side of the steam railroad track, so that it would be necessary for the conductor of the electric car to cross the track of the steam railroad, close the derail by means of the lever placed there, hold it closed until the car had passed the derail, and upon his releasing the lever the derail would open. On account of the steep descending grade from derail to crossing it would be better to move the derail further away from the crossing; as now operated, there is sufficient time for a train to approach on the steam railroad, between the time the conductor is at the crossing and when the car reaches the crossing; there is also nothing to prevent the conductor leaving the derail closed after his car passes it. On the Utica division at New Hartford, three tracks of the West Shore railroad (operated by The New York Central & Hudson River Railroad Company) are crossed by the main-line track: the crossings of two of the West Shore tracks are protected by gates which are swung across tracks; there are no gates to protect the third West Shore track recently put in, and which is used for traffic in either direction. Semaphore signals have been erected but have not as yet been put in operation. There are no derails in any of the tracks. The West Shore railroad has electric cars operated over its tracks. At Utica, one track of the Delaware, Lackawanna & Western railroad is crossed by main

track: the crossing is protected by a tilting board signal and all trains are required to come to a full stop before crossing. In Utica, the Utica & Mohawk Valley railway (electric) crosses with a single track on Columbia street and a single track on Fayette street: there is a protection over the trolley wire and a derail in the electric railway track at each crossing, the derails being operated by a lever placed on the opposite side of steam railway track from the derail, which makes it necessary for conductor to go to the crossing before derail can be closed. At Clark's Mills, the Rome branch single track is crossed by two tracks of the West Shore railroad: the crossing is protected by a mechanical interlocking plant with derails in all tracks. The main line of the Utica division crosses the Erie canal on a drawbridge in the city of Utica: the bridge is electrically turned and locked and protected by home signals and derails, and a distant signal in southbound track.

Interlocking plants are maintained at following points: Cornwall, governing the crossing of West Shore railroad; Burnside, governing the grade crossing of the Lehigh & Hudson River railway; Campbell Hall, governing the grade crossing of the Montgomery branch of the Erie railroad; Middletown, governing the south end of the yard and connection with the main line of the Erie railroad; Crawford Junction, governing the connection with the Crawford branch of the Erie railroad; Bloomingburgh tunnel, one at each end, governing the movements of trains on the single track through the tunnel; Fallsburgh tunnel, governing the movements of trains on single track through the tunnel; Hawk's Mountain tunnel, one at each end, governing the movements of trains through the tunnel; Sidney, governing the grade crossing of The Delaware & Hudson Company's tracks; Fish Creek (near Sylvan Beach), governing the movements of trains over the barge canal bridge and 600 ft. of track used jointly by the Lehigh Valley railroad and the New York, Ontario & Western railway; Utica, governing the movement over the drawbridge at Erie canal.

The right of way is free from trees, brush, and rubbish. The fences are chiefly of wire and generally in good repair. Mile-posts are maintained on all lines; those on the southerly end of the main line, the Ellenville & Kingston railroad, and the Port Jervis, Monticello & Summitville railroad are of stone, on other parts of the road they are of wood. All grade crossings of highways are well graded and well planked. The crossings are protected by signs of the diamond form, well painted and properly located. Whistle-posts are at the prescribed distance from the crossings. Wooden-slat cattle guards with wing guard fences are maintained at each boundary of all highways crossed at grade.

PROTECTION AT HIGHWAY CROSSINGS.

Division or Branch.	Flagmen and gates.	Flagmen only.	Bells.	Unprotected.	Total.
Southern.....	3	8	14	72	97
Ellenville.....	.....	.....	.....	6	6
Ellenville & Kingston.....	3	.....	2	13	18
P. J., M. & S.....	.....	.....	2	25	27
Scranton.....	.....	.....	1	.....	1
Delhi.....	.....	1	5	9	15
Northern.....	1	18	9	134	162
New Berlin.....	.....	.....	.....	26	26
Wharton Valley.....	.....	.....	.....	5	5
Pecksport Connecting.....	.....	.....	.....	5	5
Utica.....	8	2	1	36	47
Rome.....	.....	1	.....	15	16
Total.....	15	30	34	346	425

The movements of trains are governed by the telegraphic train order system. The Southern division from Cornwall to Cadodia and portions of the road between Cadodia and Sidney are protected by electric block signals, and the system of electric block signaling is being extended; a few are installed on the Northern division and Scranton division.

The station buildings are in good repair, two new passenger stations have been erected since last inspection. The waiting rooms are kept clean and neat and sanitary conditions are generally good. Drinking water is supplied and time-tables are posted in all waiting rooms. Pails filled with water and placed in racks are provided as fire protection; at stations where there is a water system hose is also provided, and many of the stations are supplied with fire extinguishers. The track platforms at almost all stations are made of stone screenings with a single line of plank at the outside and inside of rail. Station grounds are kept clean and neat. Station employees are uniformed and wear a badge indicating their employment. Station restaurants are maintained at Middletown, Walton, Oneida, and Oswego.

Since last inspection, June, 1906, about 25 per cent. of the cross-ties have been renewed. On the Southern division 0.43 mile of 95-lb. rail has been laid to replace a like amount of worn 95-lb. rail. New 75-lb. rail has been laid, replacing lighter or worn rail, as follows: 2.37 miles on Southern division and 1.93 miles on Northern division in place of 76-lb.; 3.88 miles replacing 56-lb. on the Port Jervis, Monticello & Summitville railroad, 0.12 mile replacing 76-lb. on the Scranton branch; 1.20 miles replacing 56-lb. and 1.26 miles replacing 50-lb. on the New Berlin branch; 6.80 miles replacing 50-lb. on the Wharton Valley; 0.21 mile replacing 62-lb. on the Rome branch. Where the main line crosses the new barge canal near Sylvan Beach a new single-track bridge 212 ft. long has been erected, replacing a lighter bridge 149-ft. long. On the New Berlin branch a steel plate girder viaduct 335 ft. long has replaced an iron trestle with wooden trussed stringers, and 7 wooden Howe truss bridges have been replaced with 5 lattice truss and 2 plate girder bridges. On the Utica division 4 wooden Howe truss bridges have been replaced by plate girder bridges; and a through plate girder swing-bridge has replaced a lighter through pony truss bridge.

On the northern division main line, timber trestle No. 349, 304 ft. in length, has been replaced with a steel plate girder viaduct 272 ft. long; No. 331, 465 ft. in length, replaced with concrete culvert and embankment; Nos. 366 and 368, each 96 ft. in length, have been filled. On Delhi branch, No. 16 timber trestle, 119 ft. long, filled with 48-in. cast-iron pipe; No. 19 timber trestle, 96 ft. long, replaced with 24-in. I-beam 30 ft. long with concrete abutments. On New Berlin branch, No. 48 timber trestle, 84 ft. long, replaced with deck plate girder 64 ft. long, No. 65 timber trestle, 64 ft. long, replaced with deck plate girder 54 ft. long; No. 70 timber trestle, 93 ft. long, filled. On Utica division, No. 28 timber trestle, 102 ft. long, replaced with through pony truss bridge 72 ft. long.

On Southern division main line three open culverts or cattle passes have been made solid floor structures, and one has been filled with 24-in. cast-iron pipe. On Delhi branch two open culverts or cattle passes have been made solid floor structures. A number of stone box culverts and wooden box culverts at various points have been replaced with cast-iron pipe and one stone box culvert has been filled. Wherever new bridges have been put in the masonry has either been rebuilt or repaired, and wherever open culverts and cattle passes have been repaired the masonry has either been repaired or rebuilt. At Cornwall and Walton, new water stations have been established; new creameries in place of old ones have been built at Clarks, Pratts, Munns, Morrisville, and Valley Mills; at Middletown, 60,000 ton addition to hard coal storage plant; for motive power department a new paint shop and a new car repair building have been erected; for road department a brick storehouse, a brick paint and oil storehouse, a brick power house, a carpenter shop, a paint shop, and a tinsmith shop have been built; at Monticello, a new turntable and a sales coal trestle; at Roscoe, a new ice house, and at Norwich, a new power house and a storehouse have been built; at Edmeston, and Franklin Springs, new combined stations have been constructed; at Jewel, the station has been raised and enlarged; a large number of station and other buildings have been re-painted since last inspection. Thirteen of the main-line bridges have been re-painted on the Southern division; 58 on the Northern division, 1 on the Delhi branch, 10 on the New Berlin branch, and 3 on the Utica division. The final section, to complete second track between Cornwall and Cadosia, 6.52

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miles near Liberty, is almost finished. At Crystal Run, an overhead highway bridge has been erected eliminating three grade crossings, and at Oswego an undercrossing has been put in at Seventh street.

At Fish Creek, near Sylvan Beach, the grade has been raised for barge canal, and a new bridge put in with mechanical interlocking apparatus for governing the movement of Lehigh Valley railroad and New York, Ontario & Western railway trains over bridge and a short piece of track used jointly by these companies. Thirty-three automatic electric block signals between Middletown and Fallsburgh and 4 at other points have been put in; also 10 banner signals between Livingston Manor and Cook's Falls and 6 at other points; 15 facing switch semaphores and 10 train order signals have been put in; 2 crossings at Walton and 1 at Parker have been protected by bells; 54.2 miles of woven wire fence have been built, replacing old fence.

Recommendations: That the bridges in need of paint be re-painted to prevent injury from rust; that repairs be made to the masonry of open culverts and cattle passes where necessary on the Port Jervis, Monticello & Summitville R. R., the main line Northern division, the Utica division, and the Rome branch; that the old 7 x 16 in. wooden stringers on some of the open culverts and cattle passes on the New Berlin branch which are not in good condition be replaced with new stringers; that additional ballast be put in at those points where same is light or worn out; and that tie renewals be made where necessary on the northern end of the Rome branch.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

NIAGARA JUNCTION RAILWAY.

Inspected August 17, 1908. Last previous inspection September 18, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Niagara Junction railway and respectfully submit the following report:

The Niagara Junction railway is a standard-gauge, single-track railroad, extending from Port Day on the Niagara river just east of the Niagara Falls Power Company's plant to a connection with the Rochester, Lockport & Niagara Falls branch of the New York Central & Hudson River railroad at a point about two miles east of Suspension Bridge. The length of main track including the New York Central & Hudson River railroad and Erie railroad connections is 5.73 miles, and there are 6.29 miles of siding and yard tracks and 3.9 miles of private sidings on the various manufacturing plants located along the line. At the present time only about 2½ miles of the line is operated, that portion of the line from the Erie railroad connection north to the connection with the Rochester, Lockport & Niagara Falls branch not now being used, and this inspection report covers only that portion of the line in use. The road has branch tracks extending into the yards of the various industries north of Port Day and a connection is made with the New York Central & Hudson River railroad near Port Day. A connection is made with the Erie railroad east of Echota. The road is used for freight purposes only.

The general alignment is fair with a number of sharp curves leading into the yards of the various manufacturing plants. The grades are light with the exception of the grade of the approaches to the overhead crossing of the New York Central and Erie railroads, where they are about 1 per cent.

The roadway is well graded, most of the road upon embankment of good width, and the drainage is good. There are 5 steel and iron bridges on the line, only one of which is on the portion of line now operated. The New York Central & Hudson River and the Erie railroads are crossed overhead on a through plate girder bridge. The girders are in good condition and well painted. Many of the cross-ties and much of the guard timber is poor on this bridge and should be renewed. The masonry is in good condition. There are 2 timber trestles on the portion of line operated: one of 3 spans about 13 ft. each, framed bents, over Gill creek, of standard construction and in good condition, except that the blocking between caps and stringers was not in

good shape at time of inspection; the second trestle is over a ditch, has 2 spans of about 12 ft. each, with framed bents; the trestle is in good condition except that there are no timber guards. There are no open culverts or cattle passes on that portion of the line operated. There are no arch culverts. The box and pipe culverts are in good condition.

The cross-ties are 7 x 9 in., 8 ft. in length, and laid at the rate of 2816 to the mile of track. They are principally oak and are in sound condition. The track is laid with 70-lb. steel rail connected by angle bars 30 in. in length, with 4 bolts. The rail is in good condition, all connections full bolted and bolts generally tight. The switches are split point and have automatic stands for main track. Frogs rigid. Derailing switches are in tracks where their use is necessary. The track is ballasted with broken stone. The alignment and surfacing of track are good for the purposes used. The track force consists of a foreman and 9 laborers.

The right of way is clean, with no trees, brush, or rubbish. Fences are maintained only where necessary. The highway crossings are properly graded and planked; are protected by signs of diamond form.

As this road is used for freight purposes only, being used for transferring freight between the New York Central & Hudson River and the Erie railroads and the various industries along the line, there are no stations maintained.

There was 0.44 mile of sidings laid since last inspection, and a derail was placed in track at New York Central connection.

Recommendations: That repairs be made to the cross-ties and guard timbers on the through plate girder bridge over the New York Central & Hudson River and the Erie railroads, and standard guard timbers be placed on trestle where lacking.

Respectfully submitted,
E. F. VAN HOEVEN,
Inspector Steam Railroads.

NORTHERN CENTRAL RAILWAY.

Inspected July 27 and 28, 1908. Last previous inspection September 4, 1906.
To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Northern Central railway, and respectfully submit the following report:

The main line enters the State of New York near Fassett and extends to Canandaigua. The southern portion of this line (Elmira & Williamsport railroad) extends from the state line to a connection with the Erie railroad at Southport, a distance of 6.44 miles, and has 0.34 mile of second main track and 4.72 miles of sidings and yard tracks. From the junction with the Erie railroad to Chemung Junction, near Horseheads, a distance of 6.20 miles, the trains operate over the tracks of the Erie railroad. From Chemung Junction to Canandaigua the remaining portion of the road is known as the Elmira & Lake Ontario railroad. The distance from Chemung Junction to Canandaigua is 64.19 miles, and it has 1.14 miles of second main track and 38.18 miles of sidings and yard tracks. The Sodus Bay branch connects with the main line at Stanley and extends to Sodus Bay, a distance of 34.06 miles, single track, and has 11.09 miles of sidings and yard tracks. The Lake branch (used only as a switching track) connects with the main line in Canandaigua yard and extends to Canandaigua lake; its length is 1.48 miles, single track, and it has 0.42 mile of sidings and yard tracks. This branch is practically a Canandaigua yard track; it is in proper condition for that service and is not treated further in this report.

The general alignment of the main line is fair although there are quite frequent curves south of Elmira and between Horseheads and Himrods, but most curves are light, the maximum being 8 degrees, at south end of Watkins yard; the maximum curve south of Elmira is 6 degrees, near State Line junction. The Sodus Bay branch is quite crooked at the southerly end, but the curves are light; the maximum is 5 degrees, north of Orleans. The grades of the main line are fairly regular and generally light; the maximum south of Elmira is 65½ ft. per mile, near State Line junction, north of Elmira 66 ft. per mile,

south of Montour Falls. The grades of the Sodus Bay branch are somewhat irregular though generally light; the maximum is $7\frac{1}{2}$ ft. per mile, north of Phelps Junction.

The cuts and embankments of both lines are of fair width and proper slopes. The ditches of a few cuts south of Montour Falls and also on the Sodus Bay branch have been partially filled with materials washed down from the slopes by recent storms and require cleaning. The steel and iron bridges are in good condition except that a few of them should be re-painted to prevent injury from rust. They have generally good masonry; No. 24, however, south of Elmira, has one abutment failing, which is now being rebuilt. The ties and guard timbers are of standard dimensions and in first-class condition. Inside guard rails are maintained on all. The only wooden bridges remaining in the roadway are a few spans of Howe truss on the Sodus Bay branch, north of Newark; the trusses to these bridges have been renewed within a few years and they are in proper condition. The only other wooden span bridges are for overhead highway and farm crossings; they are properly maintained, and all low ones, as well as other overhead obstructions, are protected by warning signals. On the main line there are no large timber trestles remaining; on the Sodus Bay branch there are quite a number, and some quite extensive; all are of standard construction and well maintained. Most open culverts and cattle passes have good masonry and I-beam or rail stringers; a few yet remain constructed entirely of wood. One cattle pass on the Sodus Bay branch south of Seneca Castle has very poor masonry and the stringers are supported on timber bents placed inside the abutments; the masonry to this structure should be rebuilt. The ties and guard timbers to all are of standard dimensions and in proper repair. The arch, box, and pipe culverts appear to be in proper condition.

The standard dimensions of cross-ties are 7 x 7 in., $8\frac{1}{2}$ ft. in length, and they are laid at the rate of 2600 to the mile of track; they are evenly spaced, full spiked, and in good condition, necessary renewals having been or now being made. South of Elmira they are about 80 per cent. oak and 20 per cent. yellow pine; north of Elmira on main line 72 per cent. oak, 2 per cent. chestnut, and 26 per cent. yellow pine; on the Sodus Bay branch 66 per cent. oak, 12 per cent. chestnut, and 22 per cent. yellow pine.

The main track south of Elmira is laid entirely with 85-lb. steel rail connected by angle plates 34 in. in length, with 6 bolts; north of Elmira 41.04 miles are laid with 80-lb. and the remainder, 24.29 miles, with 70-lb. steel rail, connected by angle plates 34 in. in length, with 6 bolts. The 85-lb. rail is in very good condition; the 70-lb. rail is somewhat worn and necessary renewals are now being made. All the connections are full bolted and bolts tight. The Sodus Bay branch has 6.52 miles laid with 70-lb. and the remainder, 27.54 miles, with 60-lb. steel rail. The 70-lb. rails are connected by angle plates 34 in. in length, with 6 bolts, the 60-lb. by angle plates 28 in. in length, with 4 bolts. The 70-lb. rail is in fair condition; the 60-lb. rail is somewhat worn but not in bad condition for the light traffic of that line. All the connections are full bolted and bolts tight. All main-track switches are split point with stands automatic for main track. Many high targets are used in obscure places and in some cases distant signals interlocked with the switch stands. The targets are in proper condition. Switch and semaphore lamps show red light for danger and white for safety. Spring rail and rigid frogs are used, and are properly maintained. Derailing switches are in all sidings connecting with the main track upon which cars are left standing, where the grade descends toward the main track; a few of the stands, however, were observed where targets are lacking. The tracks are ballasted with gravel and cinders, the main line generally in fair quantity; the Sodus Bay branch is lightly ballasted. The alignment and surfacing of the tracks of the main line are first class, of the Sodus Bay branch fair, and the outer rail on curves properly elevated for the speed at which the trains are scheduled.

The track sections south of Elmira are about 4 miles in length, north of Elmira and also on the Sodus Bay branch, 5 miles in length. The force employed upon each consists of a foreman and 4 laborers. Each gang is furnished with flags and lanterns for protecting its work, and all portions of the road are patrolled daily.

One track of the Elmira & Seneca Lake railway (electric) is crossed at grade at Montour Falls: there are derailing switches in the track of the electric road and protection over the trolley wire; this, however, is too short, as before the trolley would reach it the car would be upon the railroad track; therefore it should be extended. One track of the Lehigh Valley railroad is crossed at grade at Stanley: the crossing is protected by an interlocking plant; there are home and distant signals on the Northern Central road and home signals only on the Lehigh Valley; no signal tender is kept here; the normal position of the signals is for the Northern Central railway, and when trains of the Lehigh Valley desire to cross they are required to come to a full stop and some member of the train crew enter the tower and set the signals blocking trains on the Northern Central railway. One track of the Auburn branch of the New York Central is crossed at grade at Phelps Junction: the crossing is protected by a flagman and all trains are required to come to a full stop. One track of the Rome, Watertown & Ogdensburg railroad is crossed at grade at Wallington: the crossing is protected by home signals that are interlocked and all trains are required to come to a full stop.

The connection with the Erie railroad at Southport and the one at Chemung Junction are protected by modern and complete interlocking plants. The crossing of the Naples branch of the Lehigh Valley at Stanley is also protected by an interlocking plant, and the crossing of the Rome, Watertown & Ogdensburg at Wallington by signals that are interlocked.

The right of way is free from trees, brush, and rubbish; grass and weeds have been cut and removed. The fences are of wire and while generally in fair repair some additional repairs are needed. The highway crossings are properly graded, planking in good condition, and are protected by signs of the diamond form, suitably located and well painted. Wooden- or metallic-slat cattle guards with good guard fences are in place at each boundary of all the highways crossed at grade. Seven highway grade crossings are protected by flagmen, 6 by flagmen and gates, and the remaining 127 by crossing-signs only.

The movements of trains are governed by the manual controlled positive block system. Mile-posts are maintained and the whistle-posts are properly located.

The station buildings are in good repair, waiting rooms clean and neat, and sanitary condition good. Water for drinking is provided and time-tables are posted in the waiting rooms. The platforms are of cement, plank, and gravel and well maintained. Water in pails and fire extinguishers are provided as protection against fire. At stations where there is a water system sanitary closets are maintained; at most others outside closets, well cared for; at several stations however, namely, Pine Valley, Millport, Rock Stream, Glenora, Himrods, and Milo, on the main line, and Sodus Center on the Sodus Bay branch, there are no toilet facilities. The station grounds and yards are well kept, and at some of the more important ones are lawns, with shrubs, ornamental plants, etc. All station and train employees are uniformed and wear a badge indicating their employment.

The principal repairs and improvements noted as made since the last inspection, September, 1906, are as follows: South of Elmira, on main line, 35 per cent. of the cross-ties have been renewed; 3.02 miles of new 85-lb. steel rail have been laid, replacing worn rail; 3 miles of track have been re-ballasted with cinders; bridge No. 25, formerly a through Howe truss, 132-ft. span, has been replaced with a steel bridge and masonry rebuilt; 3 stone box culverts have been replaced with cast-iron pipe; 2 iron bridges have been re-painted; new track scale put in at Southport yard, replacing an old one. On main line north of Elmira 19 per cent. of cross-ties have been renewed; 7.33 miles of new 85-lb. steel rail laid, replacing worn 70- and 85-lb. rails; several miles of 85-lb. additional rail are distributed, ready to put in track; 12.2 miles of track have been re-ballasted with cinders; 1 open cattle pass near Hall station replaced with 24-inch cast-iron pipe and filling; 10 stone box culverts replaced with iron pipe; 6 iron bridges have been repainted; 1.87 miles of new woven wire fence and 0.79 mile of snow fence have been built, and 4.37 miles of wire fence extensively repaired; 1.17 miles

of additional sidings have been constructed at various places. On the Sodus Bay branch 21 per cent. of the cross-ties have been renewed; 1.59 miles of second-use 70-lb. rail laid, replacing worn 60-lb. rail; 14.80 miles of track re-ballasted with cinders; trestle No. 42, total length 162 ft., has been completely renewed; 3.45 miles of new woven wire fence built and 1.02 miles of snow fence; 1 mile of woven wire fence repaired; 0.24 mile of new sidings put in at various places. An extensive new ice plant of 4000 tons capacity has been erected at Southport; extension made to boiler house at Southport shops; a new station erected at Benton; 8 new water closets erected at various points; station buildings at Watkins, Rock Stream, Glenora, Lakemont, Penn Yan, and Stanley, also several other minor station buildings, have been re-painted, and necessary repairs made to station and other buildings; new crossing gates and tower have been installed at Penn Yan, protecting two streets not previously protected; new wagon scales have been put in at Milo; a new 75-ft. turntable with concrete pit at Canandaigua, replacing an old 60-ft. table; the water tank at that point has also been renewed and re-painted; a new stock pen has been built at Southport yard for unloading and feeding stock in transit; 4085 ft. of 4-in. cast-iron water pipe laid at Orleans, on the Sodus Bay branch, replacing wooden pipe; new wagon scales installed at Orleans and at Seneca Castle; extensive repairs have been made to coal trestle at Sodus Point, and improvements made to driveways and grounds around Lake Shore station.

Recommendations: That the necessary cleaning of ditches be done; that the iron bridges showing indications of rust be re-painted; that the masonry to cattle pass south of Seneca Castle be rebuilt; that targets be put on the stands of derailing switches where now lacking; that necessary repairs be made to fences, and that toilet facilities be provided at the stations where now lacking.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

NORWOOD AND ST. LAWRENCE RAILROAD.

Inspected November 3 and 4, 1908. Last previous inspection July 25, 1907.
To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Norwood & St. Lawrence railroad, and respectfully submit the following report:

The Norwood & St. Lawrence railroad is a single-track line connecting with the Rome, Watertown & Ogdensburg division of the New York Central & Hudson River railroad and with the Rutland railroad at Norwood, and extending to Raymondville, a distance of 7.50 miles, and has 1.40 miles of sidings and yard tracks.

The road is considerably crooked for much of its length and curves fairly sharp; the maximum is 12 degrees. The grades are very much broken, with maximum of 75 ft. per mile. The cuts and embankments are of full width and proper slopes. The roadway is well drained. There is but one iron bridge: it is a 2-span I-beam deck, on abutments and pier of concrete masonry. The bridge is in good condition excepting that the train on which I went to make inspection had broken journal and the journal-box was dragging when crossing the bridge, tearing off guard timbers and damaging the ties; previous to that it had standard ties and guard timbers, in first-class condition, and there was an inside guard rail. Before leaving there men were at work repairing the damage done. There are no wooden bridges or timber trestles in the roadway and no overhead obstructions. There are 4 open culverts and cattle passes, all with concrete masonry, I-beam stringers, standard ties and guard timbers, in proper condition. The arch and box culverts and iron-pipe drains are in proper condition. Some drains of cement tile are failing at the ends and are to be replaced.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2816 to the mile of track; about 60 per cent. of them are hemlock and 40 per

cent. cedar; they are well spaced, full spiked, and generally in fair condition, although a few spots were noted, especially in Norfolk and Raymondville yards, where quite extensive renewals are needed. Seven miles of the main track are laid with 70-lb. steel rail, connected by angle plates 30 in. in length, with 6 bolts; 0.50 mile (in Norfolk and Raymondville yards) with 56-lb. steel rail, connected by Fish plates 20 in. in length and angle plates 24 in. in length, with 4 bolts. The 70-lb rail is in good condition; the 56-lb. while considerably worn, is not bad for the moderate traffic and slow speed maintained at the places where it is used. The main-track switches are split point. Both rigid and automatic stands are used; all have proper targets. Switch lamps show red light for danger and white for safety. The frogs are rigid and are properly maintained. No derailing switches appear necessary. The track is lightly ballasted with gravel and cinders. The alignment and surfacing are very fair, and the outer rail on curves properly elevated for the speed at which trains are run.

The track is maintained by a force of a foreman and 3 laborers in winter and 7 laborers in summer; they are furnished with flags, lanterns, and torpedoes, and all portions of the track are patrolled daily.

No railroads, steam or electric, are crossed at grade, and there are no interlocking plants maintained.

The right of way is free from trees, brush, and rubbish, and is fenced with wire which is in fair condition. The highway crossings are properly graded, planking well maintained, and are protected by signs of the diamond form. There are no cattle guards in place, although the company has them on hand ready to put down. There are 5 highway grade crossings, are protected by crossing-signs only.

The movements of trains are governed by orders issued by telephone.

At Norwood the company uses station jointly with the Rome, Watertown & Ogdensburg and the Rutland railroads; at East Norfolk it has a small flag station; at Norfolk a frame passenger station and office building and a wooden freight house, all in good condition. At Raymondville there is a small combined freight and passenger station: it is an old building, but when the new line to Waddington is completed this building will be on a spur track; a new station is to be erected on the changed line. The work on that extension, which will be about 12 miles in length, is progressing, and about 6 miles of track have been put down.

Since the last inspection, July, 1907, nearly 20 per cent. of the cross-ties have been renewed; the bridges and the I-beams used for open culverts and cattle passes have been re-painted; some additional ballasting has been done; and changes have been made in yard tracks at Norfolk, removing from main track several switch connections.

Recommendations: That necessary additional renewals of cross-ties be made, especially in the vicinity of Norfolk and Raymondville stations; that additional ballast be put in that the track may be kept in proper alignment and surface during the winter season; and that cattle guards be maintained at each boundary of the highways crossed at grade.

Respectfully submitted,

J. D. SHULTZ,
Steam Railroad Inspector.

OTIS RAILWAY.

Inspected June 19, 1908.

To the Public Service Commission, Second District:

GENTLEMEN: On June 19, 1908, I made an inspection of the Otis railway, and respectfully submit the following report:

The Otis railway is an inclined plane, extending from Otis Junction, on the line of the Catskill Mountain railway, to Otis Summit, where connection is made with the Catskill & Tannersville railway, a distance of 1.08 miles, and is operated by stationary engines and cables. The construction and operation of the Otis railway is given in detail in report of inspection made July 15, 1907, and no changes have been made in the structures, power plant, or method of operation since that time.

The track is laid with 3 rails, each 3-ft. gauge, and as one car descends, the other ascends. There is a piece of double track at the half-way point to permit cars to pass. With the exception of the curves at the beginning and end of this double track there are no other curves on the line. There is a short length of track at the foot of the incline with comparatively light grade but from this point to the summit the grade is practically uniform.

The cuts and embankment on the line are of fair width; ditches where required are kept clean, and roadway well drained. There is 1 steel viaduct 480 ft. long at the upper portion of the railway which was erected about a year and a half ago and which is in good condition; the foundations are concrete masonry piers in good condition. The only wooden bridge is an overhead highway bridge near the foot of the railway, which is in good condition. There is 1 timber trestle 286 ft. in length, with maximum height of about 20 ft. This trestle is of standard construction; the timber however is getting old and it should be rebuilt or replaced in the near future. The sills rest upon masonry piers. There are 2 undercrossings for private roads. These have timber stringers and abutments of dry masonry, all in good condition.

The ties are $5\frac{1}{2} \times 5\frac{1}{2}$ in., 9 ft. in length, with 15 to the 30-ft. rail. These ties are laid on stringers $6\frac{1}{2} \times 12$ in., one under each rail. In some places 10 x 12 in. stringers have been used in making repairs. The stringers rest upon mudsills and are bolted to them, and for the greater part of the distance the stringers have a bearing for their entire length upon flat stone, chinked between them and the earth surface. Every second tie is bolted to the stringers. Guard timbers $5\frac{1}{2} \times 8$ in., built up of two pieces, are placed $4\frac{1}{2}$ in. inside of each of the outer rails and are bolted to every tie, the bolt heads being countersunk. The ties on trestle and viaducts are of about the same dimensions as on balance of road, except that on the viaduct every third tie is 16 ft. in length in order to support on each side of track a plank walk with an iron hand-rail. The same guard timber and system of bolting is used on these structures. There are a number of decayed ties which should be replaced now; some old stringers and mudsills which should be replaced this fall as soon as summer traffic is over and before winter sets in. A small section of guard timber should also be repaired.

The rail is 35-lb. steel connected by angle plates 18 in. in length, with 4 bolts, and is in good condition. At a point near the head of the incline there are two switches, located just sufficiently far apart to permit a freight car to stand between them. The upper switch leads to a connection with the Catskill & Tannersville railway. The lower switch is a safety switch which when set would, in case of car getting out of control, run car into the bank instead of allowing it to run down the incline. The freight car is attached to the rear of the open car and baggage car by heavy link attachments. The cars are stopped so as to bring the freight car between the two switches; a wire cable is attached to a heavy ring on the side of car, the slack is taken up and then the safety switch is opened. The passenger and baggage cars are run to the top of the incline. The switch is then opened and the freight car is drawn up to the level yard of the Catskill & Tannersville road by the cable which is attached to a stationary engine.

A foreman and 10 laborers employed jointly on the Catskill & Tannersville railway and this road make necessary repairs and maintain track.

In addition to the brakes on shafts in power house there is a grip underneath each car which sets over the $5\frac{1}{2} \times 8$ in. guard timber before described. This grip has an automatic governor which is set to act in case a speed of 12 miles or over per hour is acquired. The speed of cars is 8 miles per hour ordinarily. There is also an arrangement by which the carman can pull on the grip in case of an emergency. The engines are controlled by governor, and there is a speed recorder in operating room with electric bell which rings in case a greater speed than 8 miles per hour is acquired. The cars are brought to a stop at the top of the incline by the man in the operating room, and he is so placed as to have a free and unobstructed view of the cars; should he from sudden sickness or through negligence fail to stop the car the result might be extremely serious. It would seem advisable to have some automatic attachment installed that would shut off the power and bring cars to a stop in case the operator should fail so to do.

The station buildings at either end of the plane are in good condition and properly furnished. Some repairs have been made to ties, stringers, and mud-sills, and also to guard, and the wooden trestle has had some new pieces placed.

Recommendations: That the timber trestle be rebuilt or be replaced by a steel viaduct; that extensive renewal of mudsills and stringers be made this fall; that the decayed cross-ties in and near the rock cut on the upper half of the road be taken out and new ones placed as soon as arrangements can be made, and at the same time the two or three lengths of defective guard timber be replaced by new timber; that some automatic appliance be installed which will prevent the possibility of car not stopping when reaching the top of incline.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

OWASCO RIVER RAILWAY.

Inspected July 20, 1908. Last previous inspection August 20, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Owasco River railway, and respectfully submit the following report:

The Owasco River railway connects with the Auburn branch of the New York Central & Hudson River railroad in the city of Auburn and extends to the International Harvester Company's works in said city, a distance of 0.50 mile, and has approximately 1½ miles of sidings and yard tracks. It is used only as a switching track.

It is constructed for most of its length along the Owasco river, and has in it about 1200 ft. of framed bent timber trestle constructed of yellow pine, on masonry foundations. It is generally in first-class condition and arrangements are made for making the small amount of repairs necessary. There are 2 spans of lattice girder deck bridge on masonry foundation. The bridge is in proper condition, has standard ties and guard timbers well maintained, and has been re-painted recently. The remaining portion of the road is constructed upon the ground, with practically no cuts or fills.

The cross-ties are mixed pine and oak, 6 x 8 in., 8 ft. in length, and laid at the rate of 2818 to the mile of track; they are in good condition, properly spaced, and full spiked.

Two tracks of the Auburn & Syracuse electric railroad cross at grade on Genesee street and one track of the same railroad on North street: there are no derailing switches in the track of the electric road, but a proper protection over the trolley wire. At these crossings, as well as other street crossings, whenever trains wish to cross, flagmen are stationed both on the sidewalk and in the center of the street, and the movements of all trains are very slow, only about as fast as a man can walk; therefore there appears to be no danger from that source. On either side of the street crossings there are gates, kept closed so that there can be no trespassing upon the tracks, and these gates are opened only when necessary for a train to pass through.

Taken as a whole, the railroad is in proper condition for the purpose for which used, and no recommendations appear necessary.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

PITTSBURG, SHAWMUT AND NORTHERN RAILROAD.

Inspected October 6, 1908. Last previous inspection August 29, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Pittsburg, Shawmut & Northern railroad, and respectfully submit the following report:

The main line of the Pittsburg, Shawmut & Northern railroad, in New York state, extends from a connection with the Buffalo & Allegheny Valley

division of the Pennsylvania railroad at the Pennsylvania-State line south of Olean, to Wayland on the line of the Delaware, Lackawanna & Western railroad, a distance of 68.90 miles, with 14.66 miles of sidings and yard tracks. The Olean branch extends from Olean Junction on the main line to Olean, 9 miles, with 1.14 miles of sidings and yard tracks. The Hornell branch extends from Moraine on the main line to Hornell, 9.29 miles, with 4.57 miles of sidings and yard tracks.

The main line is crooked, but most curves are light and grades are generally moderate. The Olean branch has fair alignment: a branch track used only for switching purposes, and connecting with the Pennsylvania railroad at Olean, has a curve of about 22 degrees. The Hornell branch has good alignment with fairly level grades.

The maximum curve on the main line is 10 degrees, south of Swain; the maximum grade 1.80 per cent., for 5000 ft., between Grove and Swain. On the Olean branch the maximum curve is 22 degrees, at Olean, and the maximum grade 1.44 per cent., for 1800 ft., at White House. Hornell branch, maximum curve 10 degrees, at Moraine, and maximum grade 0.42 per cent. for 4500 ft., at Arkport.

The cuts and embankments of main line and branches are of good width. There are a few cuts through material of a clay and quicksand nature where slopes slip down and fill ditches, but some of these had been widened and ditches opened, and work of widening and ditching was under way at other points at time of inspection. The drainage generally is good. The steel and iron bridges are generally in good condition. On the main line there are 26 bridges with a total of 51 spans; all but 3 are carried on concrete masonry: the 3 mentioned have pile and timber abutments. Inside guard rails are maintained on only one bridge, No. 40.3, over the Genesee river. The ties and guard timbers are generally good. Repairs should be made to guard timber on No. 61.4. At bridge No. 32.7 there is one span of trestle, at north end, the ties and timbers of which are poor; the intention is to fill it, and it should be filled.

On the Olean branch there are 2 through plate girders of 3 spans each, one on stone masonry and the other on concrete abutments. At bridge No. 74.3 there is a small span of trestle at south end which has been partly filled, and the filling should be completed. On the Hornell branch there is 1 through plate girder bridge, with concrete abutments, at the south end of which a trestle approach has been filled. Some of the bridges should be painted to protect them from rust. There is 1 viaduct on the main line, the Stony Brook viaduct, 640 ft. in length, a new structure and in first-class condition; inside guard rails are maintained on this viaduct. There are 2 overhead plate girder bridges, on concrete abutments, at the crossings of the Erie railroad and the Buffalo & Susquehanna railroad; these are at full clearance height. There are no wooden bridges strictly speaking, unless the bridge on Hornell branch No. 15.7 is classed as such; this bridge has masonry abutments and wooden stringers of about 26 ft. total length. It has a center supporting bent which is tilting, and timber not in good condition; it should be repaired.

There are 9 pile or timber bent trestles on main line, most of them short, the longest being 136 ft. in length. No. 62 needs repairs to guard timber; No. 1.3 has no guard timber and should have a standard guard; No. 61.3 needs stringer renewals, also one cap renewed; Nos. 31.2 and 28.6, renewal of stringers; Nos. 7.4 and 1.9 are to be filled this year, otherwise they should be extensively repaired. On the Olean branch there are 2 framed bent trestles; No. 76.4 should have stringers renewed. There are no timber trestles on the Hornell branch. On the main line there are 14 open culverts or cattle passes with iron girders or I-beams supported on concrete abutments, and 11 with timber stringers on timber or pile abutments. No. 64.0 should have guard timbers; No. 19.4 should have new stringers, and one between Nos. 17.4 and 15.7 should have new stringers, ties, and guard timbers. On the Olean branch there are 3 open culverts or cattle passes with iron girders or I-beams; two of them have masonry abutments and one has pile abutments. There is 1 open culvert, No. 72.7, built entirely of timber; the stringers are

old and should be renewed, and guard timbers should be supplied. On the Hornell branch there are 2 open culverts, one with wooden stringers on stone abutments, No. 13.0; stringers old and dry masonry rather poor. It is the intention to put in tile pipe at this place and tile are on the ground. The other is constructed entirely of wood and is in fair condition. There is only one overhead obstruction and that is a low overhead bridge on the wye connecting with the Pennsylvania railroad at Olean, which is protected with warning signals. The arch, stone box, and pipe culverts are apparently in good condition.

The standard dimensions of cross-ties are 7 x 7 in., 8 ft. in length, and they are laid at the rate of 2500 to the mile of track: they are of mixed yellow pine, cypress, oak, and chestnut timber, are fairly well spaced, and full spiked. The general condition of ties is fair. Since last inspection the following renewals have been made: 5740 ties on main line, 700 on Olean branch, and 1400 on Hornell branch, all of cypress. The main line has 53.49 miles of 85-lb. rail, with 30-in. Weber joints, 6 bolts; and 15.41 miles 56-lb., with 21-in. angle plates, 4 bolts. On the Olean branch there are 9 miles and on the Hornell branch 9.29 miles 56-lb. rail, with 21-in. angle plates, 4 bolts. The 85-lb. rail is in good condition. The 56-lb. rail on main line and Olean branch is somewhat worn but is in fair condition except between Moraine and Wayland, where some renewals are necessary on account of burned rails. All connections full bolted. The Weber joints have a number of loose bolts; the bolts on 21-in. angle plates are tight. On the Hornell branch the rail is considerably worn and some renewals are needed. All connections full bolted, but some loose bolts were observed. All main-track switches are split point, and have automatic stands with proper targets painted red and green. Switch and semaphore lamps show red light for danger and green for safety. Spring rail frogs are used with the 85-lb. rail, and rigid with the 56-lb.; all in good condition. Derailing switches are in all sidings where their use appears necessary; most of them have jack-knife stands and no targets. The track is ballasted with gravel and cinders in fair quantity. There are some places on main line where additional ballast would be beneficial. Since last inspection, the main line, Perkinsville to Moraine, has been re-ballasted with gravel in good quantity. The alignment and surfacing of track are good, and the outer rail on curves properly elevated.

The track sections are about 6½ miles in length, and the force consists of a foreman and 4 laborers on each. They are furnished with flags and torpedoes, and all portions of the track are patrolled daily by member of section gang.

At White House, one track of the Buffalo division of the Pennsylvania railroad is crossed at grade by one track: the crossing is protected by a modern interlocking plant with derails in all tracks. At Ceres, one track of the Olean street railway crosses both legs of a wye track: there are no derailing switches in the track of the electric road, nor protection over the trolley wire; conductors of electric cars are required to pilot their cars across the track of the steam road.

At White House at the crossing of the Pennsylvania railroad there is a modern interlocking plant, with home and distant signals and derailing switches in all tracks approaching the crossing, all operated from a tower.

The right of way is free from trees and fairly free from brush and weeds. Fences are in fair condition, some places lacking; mile-posts are rails set in ground at exact distance, with mileage shown on board attached to nearest telegraph pole. The highway crossings are properly graded and well planked. One crossing at Church street, Canaseraga, is protected by a flagman. There are 72 crossings on main line, 14 on Olean branch, and 9 on the Hornell branch protected by signs of the X or banner form properly located and well painted. The cattle guards are of the wooden-slat pattern, with wooden wing-fences recently whitewashed. Whistle-posts are maintained at the prescribed distance from all crossings.

The movements of trains are governed by the telegraphic train order system. Semaphore signals are placed at telegraph stations, to stop trains for orders when necessary.

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The station buildings are in good repair, properly furnished, and were neat and clean at the time of inspection; water for drinking is provided, and time-tables are posted in the waiting rooms. The platforms are of plank, brick, and gravel, and well maintained.

On main line, the principal repairs and improvements made since last inspection are as follows: A new steel viaduct has been completed over Stony Brook Glen, 242 ft. high and 640 ft. in length; a trestle at Perkinsville turn-table has been rebuilt; 4 trestles and 1 cattle pass have been strengthened; 1 trestle has been filled; 1 has been replaced with a 30-ft.-span through girder bridge, and 1 replaced by a 48-in. pipe and embankment; one small opening between Scholes and Bennetts has been filled, and 2 sidings have been completed. On the Olean branch, the Olean Creek trestle and Olean Creek floodway have been strengthened, and a 12-ft. clear span girder put in place of a 48-in. pipe.

Recommendations: That repairs be made to the bridges, trestles, open culverts, and cattle passes, as indicated in the foregoing report. That renewals be made to rail where badly worn, and loose track bolts be made tight.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

PORT CHESTER TERMINAL RAILROAD.

Inspected October 29, 1908. Last previous inspection September 30, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Port Chester Terminal railroad, and respectfully submit the following report:

The Port Chester Terminal railroad consists only of short switching tracks connecting with the New York, New Haven & Hartford railroad at Port Chester, and extending into the yard of the Port Chester Bolt and Nut Company, and is operated by the New York, New Haven & Hartford Railroad Company's switching engines in taking cars into, and out from, the Bolt and Nut Company's works. There are about 0.91 mile of tracks which are in proper condition for the purpose used.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

BUTLAND RAILROAD.

Inspected November 9, 10, and 18, 1908. Last previous inspection, August 12-14, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have inspected the Rutland railroad, and respectfully submit the following report:

The three lines or portions of lines of the Rutland railroad in this State are widely separated, are very different classes of road, and are operated under very different conditions; therefore I make report on each line separately.

Chatham Division.

The Chatham division is a single-track road connecting with the Boston & Albany railroad at Chatham, and extending to Bennington, Vt., and has in this State 51.29 miles of main track and 4.84 miles of sidings and yard tracks.

The general alignment is very fair, excepting north of Petersburgh Junction, where it is very crooked, although the curves are not generally sharp. The maximum curve is 9 degrees, at Chatham, aside from that the greatest curves are 5 degrees, 40 minutes. The grades are generally light; the maximum is 89 ft. per mile for about 1½ miles near Old Chatham.

With the exception of a few cuts through rock, which are rather narrow to admit of thorough ditching, the roadway is very well graded and the cuts

are properly ditched. The steel and iron bridges are in good condition and fairly well painted; the masonry is good; the ties and guard timbers are of standard dimensions and properly maintained; inside guard rails have been placed on a portion of them. There are no wooden span bridges excepting for overhead highway and farm crossings. They are in proper condition. There is but one with overhead clearance of less than 21 ft., and that is protected by proper warning signals. There are 21 timber trestles remaining in the roadway of either pile or framed bents, with wooden stringers, standard ties and guard timbers. No. 3, consisting of 5 spans, No. 4 of 6 spans, No. 7 of 6 spans, No. 8 of 6 spans, and No. 20 of 5 spans, are old structures, and piles have been driven and materials are on hand with which to renew them. No. 17, consisting of five spans, has pile bents in poor condition, needing renewal. The others are in good condition. There are 19 open culverts and cattle passes, nearly all with pile or timber abutments, and they mostly have timber stringers; a few, I-beams; in some cases rails are used for stringers. Nos. 11 and 18 have poor ties and guard timbers, requiring renewal; the others are in good condition and where there is masonry it is of good quality. The arch, box, and pipe culverts are, so far as could be observed, in very good condition.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2992 to the mile of track; about 15 per cent. of them are oak, 20 per cent. yellow pine, 35 per cent. chestnut, and 30 per cent. cedar; they are fairly well spaced and full spiked; sharp curves are double spiked on the outside. The condition is considerably better than when the last inspection was made, although quite an amount of additional renewal is needed, especially between South Berlin and Berlin Center; approximately 20 per cent. of the ties on that portion of the road should be renewed, and an average of about 10 per cent. elsewhere. Of the main track, 11.12 miles are laid with 75-lb. 6.50 miles with 72-lb., and the remaining portion, 33.67 miles, with mixed 56- and 60-lb. steel rails, connected by angle plates 24 in. in length, with 4 bolts. The 56- and the 60-lb. rail is generally considerably worn and quite extensive renewal should be made. All the connections are full bolted and bolts tight. All main-track switches are split point and have automatic stands with proper targets. Switch lamps show red light for danger and white for safety. The frogs are rigid and are in fair condition. Derailing switches are in all sidings where their use appears necessary, and have proper targets. The track is ballasted with gravel, much of the way in light quantity; quite extensive improvement has been made, however. The alignment and surfacing of track are very fair, considering the light quantity of ballast generally used; the outer rail on curves is properly elevated for the speed at which the trains are scheduled.

The track sections average about 5½ miles in length and the average force maintained on each consists of a foreman and 4 laborers. Each gang is furnished with flags, lanterns, and torpedoes, and all sections are patrolled daily.

Two tracks of the Boston & Maine railroad are crossed at grade at Petersburgh Junction: the crossing is protected by a proper interlocking plant. The only interlocking plant maintained is at this crossing.

The right of way is entirely cleared and free from brush and rubbish, and fenced with wire; considerable improvement in fences has been made but more is needed. The highway crossings are properly graded and planking in good condition; they are protected by signs of the diamond form, suitably located and well painted. Wooden-slat cattle guards with suitable guard fences are maintained at each grade crossing of highways. There are 67 grade crossings in all, and they are protected by crossing-signs only.

The movements of trains are governed by the telegraphic train order system; the trains are blocked 10, 15, or 20 minutes apart as considered necessary, owing to grade and other conditions. In issuing train orders for meeting of trains the order is also placed at the meeting point.

The station buildings are generally small, and while some of them are old buildings they are in fair repair; they are clean and neat, water for drinking is provided, and time-tables are posted in the waiting rooms. The platforms in nearly all cases are of cinders and gravel; the plank platforms

formerly existing have been removed. It was observed that in most cases these platforms have not been raised above the level of the ties; additional material should be put in and the platforms raised at least as high as the top of the rail. The station grounds are in fair condition. At all stations excepting Chatham toilet facilities are provided; at Chatham there is no toilet. Station and train employees are uniformed.

Since the last inspection, August, 1907, about 10 per cent. of the cross-ties have been renewed; 7.12 miles of 75-lb. rail laid, replacing worn 56-lb. rail; 7½ miles of track have been re-ballasted with gravel and 2 miles with cinders; trestle bridges and open culverts Nos. 3, 4, 7, 8, and 20 have had piles driven and materials delivered for rebuilding the structures, and No. 6 has had additional ties put on; No. 29 has had new stringers and ties, and Nos. 32, 33, 35, 36, 39, 40, 42, 43, 43-A, 43-B, and 43-C, have had new ties and guard timbers; No. 47 has had new stringers and ties, Nos. 49 and 81 new stringers, ties, and guard timbers, and No. 45 has been filled; bridge No. 44, over Hoosick river, has had new concrete pier built, and new back walls put in at bridges Nos. 9 and 10; the South Berlin station has been repaired and painted; the driveway leading to Petersburgh Junction station has been widened and a protection railing built; the old wooden platforms at Center Berlin, South Berlin, North Stephentown, Stephentown, Lebanon Springs, New Lebanon, Brainard, and Old Chatham have been removed, and gravel and cinder platforms substituted; 11 miles of new fence have been built, and quite extensive repairs made to other fences.

Recommendations: That inside guard rails be placed on the remaining bridges and trestles; that trestles Nos. 3, 4, 7, 8, and 20, where piles are now driven for new bents, be rebuilt promptly, and that the pile bents to No. 17 be renewed at once; that new ties and guard timbers be placed on open culverts Nos. 11 and 18; that 20 per cent. of the cross-ties between South Berlin and Berlin Center be renewed and 10 per cent. of those on other portions of the road; that the worn 56- and 60-lb. rails be replaced; that additional ballast be put in, that the track may be kept in proper alignment and surface during the winter season; that necessary repairs and renewals be made to fences; that the gravel platforms at stations be raised; and that toilet facilities be furnished at Chatham station.

Ogdensburg Division.

The Ogdensburg division, a single-track road, extends from Rouses Point to Ogdensburg, a distance of 118.80 miles, and has 37.48 miles of sidings and yard tracks.

The general alignment is first class, curves light; the maximum is 2 degrees 30 minutes, located at Malone. The grades are also light and fairly regular; the maximum eastbound is 30 ft. per mile, and westbound 44 ft. per mile.

The cuts and embankments are generally of good width and proper slope; the cuts through rock in a few cases are rather narrow to admit of necessary ditches to conduct through them a large amount of water, some times there; in such places stone walls have been built at the ends of ties, and track ballasted with stone to prevent washing, in cases where in times of freshet water some times gets over the track. The earth cuts and most of the rock cuts have good ditches. In a few cases retaining walls are used to support slopes of cuts. The steel and iron bridges are in good condition and generally well painted. The east abutment of No. 324, both abutments of No. 328, and the east abutment of No. 349, are in very poor condition and should be rebuilt. The masonry to a few other structures, to which attention was directed, will require attention before very long. The ties and guard timbers are of standard dimensions and well maintained. Inside guard rails are used in some cases and at other places are lacking. There yet remains in the roadway one wooden Howe truss bridge: it is in sound condition but rather light for the class of motive power used; it has had temporary bents put under it, and a new bridge is on hand with which to replace it. The only other wooden bridges are for overhead highway and farm crossings; they are in good condition, and all, as well as other overhead obstructions

less than 21 ft. above the track, are protected by warning signals. The only timber trestle in the main track is the one across the outlet to Lake Champlain at Rouses Point, of which there are 2100 ft. in this State. The bents are of piles, and cribs filled with stone. Extensive work is being done repairing and strengthening this trestle, and additional bents being put in with new stringers, ties, and guard timbers. This work has been going on for a considerable time and will probably not be completed this season; meanwhile it is being kept in safe condition. A track of the Central Vermont railway crosses the same trestle, the tracks of the two roads being gauntletled. The open culverts and cattle passes have mainly dry masonry and much of it is poor, especially that to Nos. 308, 317, 320, 322, 326, 332, 333, 333-A, 346, 358, 359, and 364, and in most cases timber bents have been placed in front of the masonry, supporting the stringers, on account of the poor masonry. Much of this masonry is very bad, and should be rebuilt promptly. Most stringers are of timber; a few I-beams are used. The ties and guard timbers are of standard dimensions and are properly maintained. Some of the stone arch and box culverts have ends failing, but none observed were in unsafe condition, and quite extensive repairs have been made since the last inspection. The iron-pipe drains are in good condition.

The standard cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2992 to the mile of track; about 15 per cent. of them are oak, 20 per cent. yellow pine, 35 per cent. chestnut, and 30 per cent. cedar; they are well spaced and full spiked. Some tie-plates are used on the soft wood ties. Their condition is better than when the last inspection was made; some additional renewals, however, are needed. Of the main tracks 97.05 miles are laid with 80-lb., 11.82 miles with 72-lb., and 9.93 miles with 75-lb. steel rails. The 80-lb. rails are connected by angle plates 30, 36, and 40 in. in length, with 6 bolts, the 72-lb. rails by angle plates 24 in. in length, with 4 bolts, and the 75-lb. rails by angle plates 24, 26, and 31 in. in length, with 4 bolts. The rail is in very fair condition, all the connections full bolted and bolts tight. All main-track switches are split point; both rigid and automatic stands are used; all have proper targets, and in obscure places some high targets are used. Switch and semaphore lamps show red light for danger and white for safety. The frogs are spring rail and properly maintained. Derailing switches are in all sidings where their use appears necessary and have proper targets. The track is ballasted with gravel, cinders, and sand; a little stone ballast is used in a few rock cuts; between Norwood and Ogdensburg it is nearly all sand ballast, on the other portions of the road mainly gravel, with some cinders. The track is generally very well ballasted. The alignment and surfacing of the track are good, and the outer rail on curves properly elevated for the speed at which the trains are scheduled. The track sections are about 5 miles in length and the average force maintained on each consists of a foreman and 4 laborers. Each gang is furnished with flags, lanterns, and torpedoes, and all portions of the road are patrolled daily.

One track of The Delaware & Hudson Company's railroad is crossed at grade at Rouses Point: the crossing is protected by ball signal and all trains are required to come to a full stop. One track of The Delaware & Hudson Company's railroad at Mooers Junction: the crossing is protected by ball signal and all trains are required to come to a full stop. One track of the St. Lawrence & Adirondack railway (operated by the New York Central & Hudson River Railroad Company) at Malone Junction: the crossing is protected by ball signal and all trains are required to come to a full stop. One track of the New York & Ottawa railway near Moira: the crossing is protected by ball signal; all trains are required to come to a full stop; trains of the Rutland railroad approach under control but do not stop if the signal is in their favor; track of the Rutland railroad is straight for a long distance either side of the crossing and the view unobstructed. One track of the Rome, Watertown & Ogdensburg division of the New York Central & Hudson River railroad at Norwood: the crossing is protected by a tilting board signal and all trains are required to come to a full stop. There are no interlocking plants.

The right of way is free from trees, brush, and rubbish, and fenced generally with wire, in very fair condition east of Norwood; between Norwood and Ogdensburg much of the fence is poor and in places lacking. The highway crossings are well graded, properly planked, and protected by signs of the diamond or finger-board design, suitably located and properly painted. Wooden-slat cattle guards with suitable guard fences are maintained at each boundary of the highways crossed at grade. Three highway grade crossings are protected by flagmen, 1 by electric bell, and the remaining 113 by crossing-signs only.

The movements of trains are governed by the telegraphic train order system; the trains are blocked 10, 15, or 20 minutes apart as considered necessary owing to grade and other conditions. In issuing train orders for meeting of trains the order is also placed at the meeting point.

The station buildings are in good condition; some are rather small, but I was unable to ascertain that they were not sufficient for the requirements. The waiting rooms are clean and neat, water for drinking is provided, and time-tables are posted in the waiting rooms. At stations where there is a water system sanitary closets are provided; in some cases there are inside dry closets, at others they are outside. All are in first-class condition. The station platforms are of plank and gravel and in very fair condition, although in a few cases, to which attention was directed, they should be raised somewhat to reduce the height of step in getting on the car. The station grounds are in good condition. Station and train employees are uniformed.

The principal repairs and improvements noted as made since the last inspection, August, 1907, are as follows: About 12½ per cent. of the cross-ties have been renewed; 0.7 mile of 80-rail laid, replacing worn 72-lb. rail; 3 miles of track have been re-ballasted with cinders; bridge No. 302 has received general repairs; Nos. 332, 336, and 339 have had new ties and guard timbers; 6 open culverts and cattle passes have been rebuilt; a large arch culvert east of bridge No. 316 has had wings rebuilt and entire arch lined with concrete; new stringers, ties, and guard timbers have been put on a large number of open culverts and cattle passes; a large number of piles have been driven and new stringers and ties put on the trestle across the outlet to Lake Champlain at Rouses Point; the station building at Rouses Point has been overhauled and enlarged; extensive repairs made to engine house and sand house at Ogdensburg, and new roundhouse at Malone is being constructed; a new ferry slip has been built at Ogdensburg and new track to it 1600 ft. in length built; 1705 ft. of track have been added at the Cherubusco yard, and new track put in to a mill at Chateaugay, 200 ft. in length; minor changes and additions have been made to tracks at other yards; a new fire-proof pump house has been built at Ogdensburg elevator, and minor repairs have been made to station and other buildings.

Recommendations: That the east abutment of bridge No. 324, both abutments of No. 328, and the east abutment of No. 349 be promptly rebuilt; that the masonry to open culverts Nos. 308, 317, 320, 322, 326, 332, 333, 333-A, 346, 359, 589, and 364 be also rebuilt; that inside guard rails be put on all bridges and trestles where now lacking; that about 10 per cent. of the cross-ties be renewed; that fences be put in proper condition, and that all low platforms at stations be raised sufficiently to make a reasonable height of step from the platform to the cars.

Addison Branch.

The Addison branch, a single-track line, connects with the main line of the Rutland railroad at Leicester Junction, Vt., and extends to a connection with The Delaware & Hudson Company's railroad at Addison Junction, a distance of 15.60 miles, of which only 0.82 mile is in this State; it has about 0.83 mile of sidings and yard tracks. This is an unimportant line of railroad, used almost entirely for freight purposes, with only one or two trains operated in either direction. There is one curve of 3 degrees, practically all the rest being on tangent. The grades are very light, being practically level for most of the distance. There are no cuts of any account. The embankments are of fair width and proper slopes, and the drainage good.

There are no steel or iron bridges and no openings to grade excepting a timber trestle across Lake Champlain, about 300 ft. of which is in the State of New York, and a float drawbridge across the channel which is supposed to be the dividing line between the two States; this trestle consists of framed bents on pile foundation; there were originally cribs, which settled, and a single pile was driven at either end of the cribs on alternate bents between the cribs; the bents over the cribs are trussed between the two piles above referred to, the bottom of this truss being at most seasons of the year under water. The structure is getting old and new bents are being driven; men are now engaged on the Vermont side rebuilding that portion of the trestle, and are to continue on the New York side. The stringers and ties are of standard dimensions and in fair condition. At each end of the float draw there is a span of about 35 ft. in length which can be raised or lowered as may be necessary by the stage of water, and at the end of that a fixed timber trussed span of about the same length. This sort of draw and draw connections make very careful operation of trains necessary, and all trains are required to come to a full stop before reaching the draw. Semaphore signals interlocked with the mechanism of the draw are located 400 ft. from the end of the draw span. The floating draw appears to be in good condition. The timber abutments, piling, and cribbing at the ends are getting old and somewhat out of condition, and are to be rebuilt. The only other opening for the passage of water is a small stone box culvert, which is in proper condition.

The cross-ties are almost entirely cedar; the standard dimensions are 6 x 8 in., 8 ft. in length, and they are laid at the rate of 2640 to the mile of track; they are evenly spaced and full spiked, and in fair condition for the very moderate amount of traffic and slow speed maintained. The track is laid with 56-lb. steel rail, connected by angle plates 24 in. in length and Fish plates 20 in. in length, with 4 bolts. The rail is considerably worn, but is in fair condition for the light traffic and slow speed maintained. The connections are full bolted and bolts tight. Stub switches are used with rigid stands; the targets are in proper condition. Semaphore lamps show red light for danger and white for safety. The frogs are rigid and are in proper condition. There is one derailing switch; no others appear necessary. The track is lightly ballasted with gravel and cinders. The alignment and surfacing are fair considering the speed maintained.

The right of way is cleared. Very little fence is maintained, or apparently necessary. There are no highway crossings. The movements of trains are governed by the telegraphic train order system. The only station in this State is at Addison Junction; it is the property of and used jointly by The Delaware & Hudson Company.

Since the last inspection, August, 1907, about 10 per cent. of the cross-ties have been renewed; some piles have been driven for renewal of the timber trestle and men are engaged rebuilding that structure; semaphore signals, interlocked with the mechanism of the drawbridge have been erected 400 ft. from the draw in either direction.

Recommendations: That the work of renewing the trestle structure and the approaches to the draw be carried to a conclusion as rapidly as possible, and that the movements of all trains over the draw be restricted to a speed of not exceeding 6 miles per hour.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

SCHOHARIE VALLEY RAILWAY.

Inspected August 11, 1908. Last previous inspection June 6, 1907.
To the Public Service Commission, Second District:
GENTLEMEN: I have made an inspection of the Schoharie Valley railway, and respectfully submit the following report:

The Schoharie Valley railway extends from a connection with the main line of The Delaware & Hudson Company's railroad at Schoharie Junction

to Schoharie, where it joins the Middleburgh & Schoharie railroad. It is operated jointly with that railroad, the same train operating over both roads with a change of conductors at Schoharie. It is a single-track, standard-gauge road, 4.38 miles in length, with approximately 1 mile of sidings and yard tracks. The road runs through a valley and has long tangents and light curves. The grades are light, and the cuts and embankments are generally of fair width; some of the cuts should be widened to give sufficient width for ditches, which should be opened and cleaned. There are 3 deck plate girder bridges: the first bridge just north of Schoharie is a 16-in. girder 16½ ft. in length, with a clear span of 12 ft.; the second is an 18-in. girder about 17 ft. long, with a clear span of 13 feet; and the third a 32-in. plate girder about 30 ft. long. All these girders are carried on dry masonry abutments, poorly laid with small stone, and consequently in need of frequent repairs. At the second bridge one of the abutments overhangs slightly; while not unsafe in its present condition, it may continue to move, in which case it should be rebuilt. At the third bridge the north abutment has crumbling stone under the west girder; this abutment should be torn down about three feet and rebuilt with good stone. There are no timber guards on any of these structures, a strip of plank spiked to top of ties being used in place of guard. There is 1 wooden Howe truss bridge with 1 span of about 100 ft. This bridge has been in use over forty years. The timber is sound and the trusses are of sufficient strength to carry the trains operated over it. The floor system has been strengthened as recommended in last report. The masonry is in fair condition. The north abutment has considerable blocking as wall plates and some should be renewed. There is an overhead highway bridge, timber stringers, supported on timber bents. These bents, next to track, rest on low walls of dry masonry which are in poor condition. The warnings are in very poor condition. There is one open culvert of about 6 ft. span with dry masonry abutments about 3 ft. in height, of small stone which are working out in places; strips of plank are nailed to ties in place of guard timbers. There is also an opening to carry ditch water across track, about 2 ft. span with 10 x 12-in. stringers under rail and only a few inches between the bottom of stringer and bottom of ditch; the work is not well done and should be built in a substantial manner if to remain in track. There are no arch culverts. The box and pipe culverts are apparently in good condition.

The cross-ties are 6 to 8-in. face, 6 in. in thickness, and 8 ft. in length, of oak and chestnut principally, and are laid at the rate of 2640 to the mile of track. Some tie renewals are needed, particularly on some of the curves. The rail is worn but most of it is in fair condition for the light traffic. There are some badly worn rails with broken and split ends that should be replaced. The track is laid with 60-lb. steel rail and is connected by angle and Fish plates with 4 bolts. There are many bolts loose and a few missing. Both split point and stub switches are in use, the only stub switches being located at Schoharie Junction. Switch stands are rigid. Some lack targets and some targets are poorly painted. Switch lamps are not used, as night trains are not run. Frogs are rigid. No derailing switches are required. About one-third of the road is lightly ballasted with broken stone; the remainder is practically unballasted and road would be greatly improved if proper ballast were used. Grass and weeds grow between ties. The alignment and surfacing of track are poor, but track is safe on account of the slow speed of trains.

The section force consists of a foreman and 5 laborers.

Only a portion of the right of way is fenced and some fences are in need of repair. There was some brush on right of way at time of inspection which should be cut and removed. There are no mile-posts maintained. There is only one highway crossing and it is protected by a sign of triangular form. There are no cattle guards maintained nor are there any whistle-posts.

At Schoharie there is a small, 2-story, brick station with offices on second floor, and at Schoharie Junction where the road joins the D. & H. there is a small, frame station. Both are in fair condition.

There have been no repairs or improvements made, other than the ordinary maintenance repairs, since last inspection.

Recommendations: That ditches be opened and cleaned; that the masonry to the deck girder bridges be rebuilt where necessary, and that guard timbers of proper form be placed on these bridges and on the open culvert; that the necessary repairs be made at the small open culvert of about 2 ft. span where present work is not substantial; that cross-ties and rail renewals be made where necessary; that missing track bolts be supplied and loose ones tightened; that the warning guards to overhead bridge be renewed with proper material; that switch stands be supplied with targets; that additional ballasting be done and track put in proper alignment and surface; that fences be repaired; and that loading of cars be limited to 80,000 pounds.

Respectfully submitted,

E. F. VAN HOESEN,
Inspector Steam Railroads.

SILVER LAKE RAILWAY.

Inspected July 28, 1908. Last previous inspection July 24, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Silver Lake railway, and respectfully submit the following report:

The Silver Lake railway is a single-track road connecting with the Buffalo division of the Erie road and the Silver Springs branch of the Buffalo, Rochester & Pittsburgh railway at Silver Springs, and extending to Perry, a distance of 6.86 miles, and has approximately 1.5 miles of sidings and yard tracks.

The general alignment is fair, and grades and curves light. The roadway is properly graded and well drained. There is but one iron bridge in the roadway: it is a 27-ft. deck plate girder, resting on pile bents, and crossing the outlet to Silver lake. The bents are in such condition that they will require renewal or replacing with permanent abutments soon. On the track at the Perry end of the road leading to a coal trestle there is another light plate girder bridge spanning a traveled road: this bridge rests on bents; it is not operated over by trains and only used in placing cars on the trestle and is in fair condition for that purpose. There are no timber trestles in the roadway. The only opening to grade besides the bridge above referred to is one small open culvert of 4-ft. span: it has good masonry, timber stringers and ties and guard timbers, in good condition. The box culverts and pipe drains are properly maintained.

The cross-ties, mixed oak and cedar, are 7 x 9 in., 8½ ft. in length, and laid at the rate of 2816 to the mile of track; they are in very good condition, necessary renewals having been made, are properly spaced, and full spiked. About 2½ miles of the track are laid with 80-lb., ½ mile with 71-lb., and the remainder with 60-lb. steel rails. The rails are connected by angle plates 26-in. in length, with 4 bolts. The rail is in fair condition for the light traffic and moderate speed maintained; all the connections are full bolted and no loose bolts were observed. All main-track switches are split point with rigid stands and proper targets. Night trains are not operated, therefore switch lamps are not used. The frogs are rigid, and no places were observed where derailing switches were apparently needed. The road is lightly ballasted with gravel and cinders. The alignment and surfacing of track are fair, and the outer rail on curves properly elevated for the speed at which the trains operate.

The track is maintained by a force consisting of a foreman and 6 laborers. The road is patrolled daily by some member of the section force.

The right of way is clear and clean. Fences are of wire and some repairs are needed. The highway crossings are well graded, planking in good condition, and are protected by signs of the diamond form. Metallic cattle guards are used in some places and at others are lacking.

The only station at which an agent is employed is at Perry; this is a frame building in good repair and suitably furnished.

Since the last inspection about 12 per cent. of cross-ties have been renewed; 2 miles of second-use 80-lb. rail laid, replacing worn 60-lb. rail;

the stub switches have been replaced with split point switches; a little ballasting has been done, and minor repairs made to fences.

Recommendations: That the pile bents supporting the plate girder bridge over the outlet to Silver lake be rebuilt, replaced, or strengthened; that necessary repairs be made to fences, and cattle guards be maintained as required by law.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

SKANEATELES RAILROAD.

Inspected July 21, 1908. Last previous inspection August 20, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Skaneateles railroad, and respectfully submit the following report:

The Skaneateles railroad connects with the Auburn branch of the New York Central & Hudson River railroad at Skaneateles Junction and extends to Skaneateles, a distance of 5 miles, and has approximately 1 mile of sidings and yard tracks.

The road for much of its length is very crooked and curves sharp, the maximum being 15 degrees. The grades are considerably broken and in places steep, apparently about 80 ft. per mile.

The road is constructed for much of the distance alongside a highway; there are no extensive cuts or high embankments, and all are of proper width and natural earth slopes. The roadway is well drained. There are no steel or iron bridges. The outlet to Skaneateles lake is crossed a number of times on trestle structures consisting of framed bents on masonry abutments; at most of these crossings there are from 3 to 4 spans of trestle; they are of standard construction, have proper stringers, ties, and guard timbers, generally in good condition, the exceptions being as follows (the openings being numbered from the Skaneateles end of the road): No. 2, which consists of 4 spans of framed bent bridge, needs new ties and guard timbers. No. 3 has had new ties recently put on but lacks guard timbers. No. 5 has in the trestle 1 span of trussed stringers: this is not good construction; and in addition, the stringers are somewhat old; a bent has been placed underneath the stringers at a point about one-third the length of the span; another bent should be put in at the other bearing point or this span replaced with iron girders. The open culverts have masonry abutments, timber stringers, standard ties and guard timbers, all in proper condition. There are no arch culverts. The box and pipe culverts are in good condition.

The cross-ties, about 60 per cent. yellow pine and the remainder mixed oak and chestnut, are 6 x 8 in., 8 ft. in length, and laid at the rate of approximately 2902 to the mile of track; they are very well spaced, full spiked on curves, and on tangents, in some cases only, each alternate tie is spiked on the inner side. As only very light power is run on this line and at slow speed, this is not objectionable. It was noted, however, that at least 10 per cent. of cross-ties need renewing, and in addition to this, shims that were apparently put in last winter in time of frost have not yet been removed. About $\frac{3}{4}$ of a mile of the main track is laid with 70-lb. steel rail, connected by angle plates 36 in. in length, and the remainder with 56-lb. rail, connected by angle plates 24 in. in length, all having 4 bolts. The rail is in very fair condition for the light traffic and moderate speed maintained. It was noted that some bolts in the connections were missing and many loose; also that in some cases half-length angle plates were used with only 2 bolts to the joint; these should be replaced with full length plates fully bolted. About one-half the switches are split point and the remainder stub. The split point switches have automatic stands or spring in head-rod, rendering the switch automatic. The stub switches have rigid stands and most of them show position of switch by position of target instead of by color. No switch lamps are used, no night trains being operated. All frogs are rigid. Derailing switches are in sidings where their use appears necessary.

and have stands with proper targets. The track is lightly ballasted with gravel and shows evidence of being considerably affected by frost, there being a large quantity of shims still remaining in the track. The alignment and surfacing of the track are fair, and the outer rail on curves properly elevated.

The right of way is clear and clean; very little fencing maintained, or apparently necessary. The highway crossings are well graded, properly planked, and protected by signs of the half oval form. There are no overhead obstructions.

The maintenance force consists of a foreman and 5 laborers, who are furnished with necessary means for protecting the work.

The only station building maintained is at Skaneateles; this is a wooden building, properly furnished and in good condition.

The only repairs and improvements noted as made were the ordinary renewal of cross-ties, putting in new stringers, ties, and guard timbers on several of the trestle bridges.

Recommendations: That new ties and guard timbers be placed on bridge No. 2; proper guard timbers on bridge No. 3; that an additional bent be put under the trussed stringer span of bridge No. 5 or the span replaced with iron girders; that at least 10 per cent. of the cross-ties be promptly renewed; that the shims be removed and the track re-surfaced; that the half-length angle plates be replaced with plates of full length; that missing track bolts be supplied and loose ones made tight; and that the stub switches in main track be replaced with split point switches.

Respectfully submitted,

J. D. SHULTZ,
Steam Railroad Inspector.

STERLING MOUNTAIN RAILWAY.

Inspected October 22, 1908. Last previous inspection August 15, 1908.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Sterling Mountain railway, and respectfully submit the following report:

The Sterling Mountain railway extends from a connection with the main line of the Erie railroad at Sterlington to the iron mines at Lakeville, a distance of 7.60 miles. It is a single-track standard-gauge road and is used almost entirely for transporting iron ore from the company's mines at Lakeville to the main line of the Erie railroad.

The road is very crooked and the grades are steep. The maximum curve is 9 degrees and the maximum grade, which extends for a great portion of the entire length, is 176 feet per mile, ascending toward the mines.

The roadway is fairly well graded and the drainage system good. None but very small streams are crossed and there are no steel, iron, or wooden bridges in the roadway. There are 7 framed bent trestles, 4 of them of 2 spans each, and the longest one consisting of 5 spans. This trestle has recently been rebuilt and is all new and in good condition. The second trestle from Sterlington, one of 4 spans, and the third, one of 3 spans, have poor ties; ties should be renewed in both these structures and guard timbers furnished for the one of 3 spans. The remaining trestles are in fair condition. There is one open culvert of about 8-ft. span with new framed bent abutments and new half-round stringers of good size. There are three or four small openings in track with wooden stringers in good condition. There are no arch culverts. The pipe culverts are in fair condition. The cross-ties, mixed oak and chestnut, are from 6 to 8 in. face, 6 in. thickness, 8 ft. in length, and laid at the rate of 2640 to the mile of track. The ties are fairly well spaced and full spiked. About 2500 ties have been renewed this year and 2000 last year. Ties generally in fair condition. The track is laid with mixed 56- and 60-lb. steel rails, connected by angle and Fish plates 24 in. in length, with 4 bolts. The rail is somewhat worn but is in fair condition for the light traffic and slow speed maintained. The connections are generally full bolted, with quite a number of the bolts loose. There are some stub switches in main track; most of them are split point. Automatic

switch stands are generally used; some are without targets and some have targets poorly painted. Night trains are not operated, therefore switch lamps are not used. All frogs are rigid. There is a stub rail derailing switch in the main track just below where the mine tracks connect, to prevent any cars which may get loose at the mines from running down the grade. The track is very lightly ballasted with gravel and cinders. The alignment and surfacing, while poor and irregular, are fair for a track of this character.

The section force consists of a foreman and 5 men.

The right of way is clear and free from trees and brush. The road for much of its length runs through property belonging to the mining company which owns the railroad, and the cleared right of way is very narrow. Fences are maintained only opposite private property and are in poor repair in some places. Mile-posts are not maintained. The highway crossings are well graded, properly planked, and protected by signs of the diamond form. There are no cattle guards, and whistle-posts are not maintained.

The only station building is at Sterlington, and is a frame building in fair repair and properly furnished.

Repairs have been made to two of the timber trestles, both being practically all new, and minor repairs made to two other trestles. Cross-ties have been renewed, some 2500 having been put in track this season.

Recommendations: That guard timbers be put on all trestle structures where now lacking; that necessary tie renewals be made on these structures; that targets be put on all switch stands where lacking, and all targets be re-painted; that fences be put in proper repair; and cattle guards be maintained at all highway crossings outside of the mining company's lands.

Respectfully submitted,

E. F. VAN HOESEN,
Steam Railroad Inspector.

SOUTH BUFFALO RAILWAY.

Inspected July 31, 1908. Last previous inspection November 2, 1904.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the South Buffalo railway, and respectfully submit the following report:

The South Buffalo railway extends from a connection with the Buffalo Creek railroad at Buffalo Creek Junction to a connection with the Lehigh & Lake Erie railroad at West Seneca, a distance of 5.91 miles, single track, and has 9.28 miles of sidings and yard tracks. In addition to this the road operates approximately 45 miles of leased tracks in and about the Lackawanna Steel Works. The road is considerably crooked, laid out to make connection with practically all the railroads entering Buffalo from the south and southeast, and with the steel works. It is practically all on embankments, which are of good width and proper slopes. There are very extensive bridges crossing various railroads and yards in and about West Seneca; all are of first-class construction and are erected on good masonry, have standard ties and guard timbers, properly maintained, and inside guard rails are placed upon all of them. There are no wooden span bridges or overhead obstructions, and the only timber structures in the roadway are two small pile trestles; they are of standard construction and in good repair. There are no open culverts or cattle passes. The box and iron-pipe culverts are in good condition.

The standard cross-ties are 6 in. in thickness, 6-in. face, and 8 ft. in length; they are all oak, are well spaced, full spiked, and in thoroughly sound condition. The track is laid entirely with 80-lb. steel rail connected by angle plates 24 in. in length, with 4 bolts. The rail is in very fair condition, all connections full bolted, and no loose bolts. The main-track switches are split point and have automatic stands. Switch lamps show red light for danger and green for safety. Nearly all the main-track frogs are spring rail and properly maintained. No sidings were observed where

derailing switches were needed. The track is ballasted with gravel, cinders, and slag in good quantity. The alignment and surfacing of track are good and the outer rail on curves properly elevated for the speed at which the trains operate.

Two tracks connecting the Buffalo, Rochester & Pittsburgh and the Delaware, Lackawanna & Western railroad yards near the connection with the Buffalo Creek are crossed at grade: the crossings are protected by tilting board signals; all trains come to a full stop. A switching track of the Buffalo, Rochester & Pittsburgh railway is also crossed at grade near the same place: this crossing is protected by a semaphore signal, and all trains are required to come to a full stop.

The right of way is in proper condition. No fences are maintained nor are they necessary, as no live stock is kept in the vicinity of the road. There is but one grade crossing of a highway: it is properly graded, well planked, and protected by a sign of the diamond form.

The movements of trains are governed by the telephone train order system.

No stations are maintained, the road being engaged entirely in the switching business between the steel works and the various railroads with which they connect; the road does, however, run four passenger trains each way daily, almost entirely for conveying the employees of the railroads and the steel works to and from Buffalo, these trains running to the Buffalo station of the Delaware, Lackawanna & Western railroad over the tracks of that railroad from a connection made about two miles east of that station.

Since the last inspection several extensive timber trestles have been filled in; necessary renewals of cross-ties have been made, and several miles of additional sidings and yard tracks constructed.

The property is well cared for and no recommendations appear necessary.
Respectfully submitted,

J. D. SHULTZ,
Steam Railroad Inspector.

ULSTER AND DELAWARE RAILROAD.

Inspected October 15, 16, 1908. Last previous inspection June 4, 5, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Ulster & Delaware railroad, and respectfully submit the following report:

The main line extends from Kingston Point on the Hudson to Oneonta on the line of The Delaware & Hudson Company's railroad. The main line is single track, as are also the following branches: the Stony Clove & Kaaterskill branch, connecting with the main line at Phœnicia and extending to Kaaterskill; the Hunter branch, which connects with the Stony Clove & Kaaterskill branch at Kaaterskill Junction and extends to Hunter. On the main line, extending from Kingston Point to Oneonta, there are 107.26 miles single track and 26.39 miles siding and yard tracks; on the Stony Clove & Kaaterskill branch, 19.04 miles single track and 2.45 miles siding and yard track; on the Hunter branch, 2.60 miles single track and 0.63 mile siding and yard tracks. Total, 128.90 miles single track, 29.47 miles siding and yard tracks.

Both the main line and the branch lines are constructed through a mountainous country. The alignment is very crooked and many curves are sharp. The grades are in many places steep and there are some long grades, much of the road being on grade. On the main line the maximum curve is 12 degrees, east of Grand Hotel station, maximum grade 153 ft. per mile, for 3600 ft., east of said station; Stony Clove & Kaaterskill branch, maximum curve 12 degrees, between Lanesville and Edgewood, maximum grade 187.4 ft. per mile, for 3100 ft., at Lanesville; Hunter branch, maximum curve 10 degrees, third curve north of junction, maximum grade 184.8 ft. per mile, for 2200 ft., at Kaaterskill Junction.

The roadway of all the lines is well graded. A few cuts on the main line are somewhat narrow, but material which had washed down into ditches was being removed at time of inspection and cuts were being widened. The

drainage system is good on all the lines. The steel and iron bridges and viaducts are in good general condition. The masonry is in from good to fair condition. At bridge No. 70 over the Delaware river on main line the abutment has been slightly undermined and should be repaired. Repairs to ties should be made on bridges Nos. 9, 21, 28, 52, 63, 69, 70, 74, and 75; repairs to guard timbers on Nos. 52 and 63. Riprap stone should be placed to protect masonry at bridge No. 75. On the Stony Clove & Kaaterskill branch the bridges are all in good condition. There are no iron or steel bridges on the Hunter branch. There are 4 structures on the main line: Nos. 21 and 24, each of 7 spans, one 437 ft., 5 in. total length, the other 172 ft., 5 in., No. 28 292 ft. and No. 30 284 ft. in length, on which there are no inside guard rails. On the Stony Clove & Kaaterskill branch there are 3 viaducts. Two of them, Nos. 110 and 112, 274 ft., 9 in. and 167 ft., 9 in. length, are without inside guard rails. The only wooden bridges are those carrying highways and farm roads over the roadway; there are 9 of these on the main line, and those less than 21 ft. in the clear above the rail are protected by warning signals properly maintained. There are no overhead bridges on the branch lines. There is a brick arch 170 ft. in length which carries Hasbrouck avenue, Kingston, over the tracks. It is in good condition and is protected by warning signals. There are 10 timber trestles on the main line, from 2 to 15 spans each and from 20 to 153 ft. in total length. These are located on the portion of the road between Bloomville and Oneonta, and have pile or framed bents. They are in fair condition and will probably be replaced with girders and masonry, or bridges, as rapidly as they require renewal. Some renewals to guard timbers should be made on Nos. 76, 80, and 94, and tie renewals on No. 79; an inside guard rail should be placed on No. 78. On the main line the open culverts and cattle passes have, in most cases, plate girders and masonry abutments. There are 3 with wooden stringers on masonry abutments and 11 with T-rail stringers on masonry abutments. Nine of these structures have poor masonry and most of them have timber bents in front of abutments to carry the stringers. The masonry should be repaired, as the timber bents are in some cases rather light. Tie renewals should be made on Nos. 33, 52A, and 60A; guard timber renewals on Nos. 10, 51A, and 60A. On the Stony Clove & Kaaterskill branch there are three structures of less than 20-ft. span with deck plate girders on masonry, one structure with timber stringers on masonry, the south abutment of which should be repaired or rebuilt. On the Hunter branch there are three structures, two of them with wooden stringers on masonry abutments; the third, No. 115, has one abutment of timber in good condition and one poor dry masonry abutment which should receive attention. The arch, box, and pipe culverts are apparently in fair condition.

The cross-ties are about 93 per cent. yellow pine, 2 per cent. each cypress and oak, and 3 per cent. chestnut. They are 6 x 8 and 6 x 9 in. 8 ft. in length, and are laid at the rate of 2816 to the mile of track on main line and branches. They are fairly well spaced, are full spiked, and their general condition is good, 28,440 (or 9.4 per cent.) having been renewed since last inspection. Rail-braces are extensively used on curves and shoulder tie-plates are being put in on the sharper curves. On the main line, 55.21 miles are laid with 62-lb., 6.38 miles with 70-lb., and 45.67 miles with 90-lb. rails; the Stony Clove & Kaaterskill branch, 19.04 miles, is laid with 90-lb.; and the Hunter branch, 2.60 miles, with 62-lb. The 62-lb. rail is connected by angle plates 22 in. in length, 4 bolts; the 70-lb. rail by 24 in. angle plates, 4 bolts; and the 90-lb. rail by 30-in. angle plates, 6 bolts. On the main line 0.09 mile of 90-lb. rail has been laid since last inspection, replacing 0.09 mile of 70-lb. rail; 0.96 mile of 70-lb. rail, replacing 0.96 mile of 62-lb. rail; and 1.05 miles of 62-lb. rail replacing a like amount of worn 62-lb. rail. The 62-lb. rail on main line and on Hunter branch is somewhat worn; the 70- and 90-lb. rails in good condition. All connections full bolted and only a few loose bolts observed. The main-track switches are split point and have automatic stands with well painted targets. Switch lamps show red for danger and white for safety. Frogs are rigid and are in good condition. Derailing switches with targets are in all sidings where their use appears necessary. The track is ballasted with gravel and cinders. The east end of main line has a fair quantity of ballast

but from Arkville to Oneonta additional ballast is needed. Additional ballast would also be beneficial at some points on the branch lines. The alignment and surfacing of the track on main line and branches are good except the last two or three miles on the Kaaterskill branch, where surface is not good. The outer rail on curves is properly elevated for speed at which trains are scheduled.

The track sections average about 4.7 miles on main line and 4.1 miles on branch lines. The force employed consists of a foreman and 3 laborers in winter and 8 laborers in summer. Each gang is furnished with flags, lanterns, and torpedoes for protecting its work. Regular track walkers are not employed, except on two sections, but all portions of the road are patrolled daily by some member of the section force who works during the remaining portion of the time with the track force. On the main line, sections Nos. 8 and 9 on Pine Hill grade, two track walkers are permanently employed, and permanent watchmen are stationed at one point, Lockwood's cut, near West Davenport. On the Stony Clove & Kaaterskill branch a permanent watchman is stationed at Stony Clove Notch.

A single track of the Kingston Consolidated railroad (electric) is crossed on four different streets in the city of Kingston, as follows: Strand street: no trough over the trolley wire and no derails in electric railroad track; Lower Hasbrouck avenue: trough over trolley wire and derail in electric railroad on side where track is nearly level; no derail on down-hill side; Upper Hasbrouck avenue: trough over trolley wire and derail same as at Lower Hasbrouck avenue; Prince street: trough over trolley wire and derail one side. Flagmen are employed at these crossings by the railroad company between the hours of 7 a. m. and 8 p. m. Two tracks of the West Shore railroad are crossed at grade by two Ulster & Delaware tracks in Kingston: the crossing is protected by an interlocking plant, and all trains of the Ulster & Delaware railroad are required to come to a full stop before crossing.

The only interlocking plant maintained is the one maintained by the West Shore railroad at the grade crossing in Kingston.

The right of way is free from trees and brush. Fences are generally of wire, with some stone walls, and are in fair condition. The highway crossings are well graded and properly planked, and protected by crossing-signs of triangular form, suitably located and well painted; 15 crossings on main line are protected by flagmen and 93 by crossing-signs only; 13 crossings on the Stony Clove & Kaaterskill branch and 3 on the Hunter branch are protected by crossing-signs only. Wooden-slat cattle guards with proper wing-fences are maintained at each boundary of highways crossed at grade. Mile-posts are maintained and whistle-posts are properly located.

Automatic electric block signals are in use to govern the movements of trains between Kingston and Phenicia, a distance of about 25 miles. The remainder of main line and the branch lines have train movements governed by telegraphic train order system, semaphore signals being located at stations, and trains are spaced five minutes apart at those points.

The station buildings are in good repair, clean and neat, and properly furnished. At Haines Falls the station is small; waiting room about 9 x 18 ft., with a small outside canopy. Your inspector, while not making any special investigation, is of the opinion that this station is not large enough for the summer travel; the same is true of the small, frame station at Hunters, on Hunter branch, and of Pine Hill station on main line. At Hobart some seats in waiting room need repairs, and the outside closet is in bad sanitary condition. At South Gilboa a new frame combination station had just been completed and had not been put in service at time of inspection.

The principal repairs and improvements made since last inspection are as follows: About 10 per cent. of cross-ties on main-line track, 6 per cent. of those on the Stony Clove & Kaaterskill branch, and 6 per cent. on the Hunter branch have been renewed. Eleven miles of main-line track have been re-ballasted with cinders and gravel; one and one-half miles of the Stony Clove & Kaaterskill branch and one-half mile of the Hunter branch have been re-ballasted with cinders. On main line, bridges Nos. 10, 16, and 27 have had new ties, and 16 and 27 have had new guard timbers; bridge No. 37 has

had protection stone apron and riprap placed; and riprap of large quarry stone has been placed to protect masonry of bridges Nos. 21, 30, 34, 37, and 71. On S. C. & K. branch, bridge No. 104 has had center pier protected by riprapping same with large quarry stone to prevent erosion. Pile trestle No. 83, length 30 ft. 3 in., has been filled with one line of 20-in. cast-iron pipe to care for water, and Stradders Lake trestle (no number), length 81 ft. 3 in., has been filled with 5 lengths of 30-in. cast-iron pipe. A number of the trestles have had repairs made to the bents, stringers, and decks. An open culvert between bridges Nos. 5 and 6 has been replaced with solid floor concrete culvert and a number of box culverts have been repaired. Necessary repairs have been made to station buildings and re-painting done where necessary. A modern frame combination passenger and freight station has been erected at South Gilboa; new train order signals installed and put in service at West Hurley, Olive Branch, Browns, Brodheads, Shokan, and Mt. Pleasant; new automatic electric block system of signals between Kingston and Phenicia completed and put in successful operation; all switch stands, semaphores, mail cranes, bridge ticklers, bridge numbers, clearance posts, and flag posts painted; five miles of woven wire fence on main line and one mile on branch lines built. The following bridges have been re-painted: Nos. 2, 3, 8, 9, 10, 30, 70, 72, 73, 74, and 75. A new storage track has been constructed at Kingston Point, 815 ft. in length; at Rondout, yard remodeled and 720 ft. of additional side track constructed; at Kingston, a new track 288 ft. long built into sand pit; at South Gilboa a new passing siding 2278 ft. long and ice house siding 918 ft. constructed; at Hobart, 874 ft. of additional track constructed; at Oneonta, a new wye track 1607 ft. long, a new coach track 1016 ft. long, and a track for unloading coal 627 ft. long, have been constructed, and a freight track has been extended 538 ft. A new siding 276 ft. long has been constructed at Phenicia and one 238 ft. long at Haines Falls.

Recommendations: That necessary repairs be made to bridges, trestles, open culverts, and cattle passes as outlined in foregoing report, and that additional ballast be provided where necessary on west end of main line and on branch lines.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

UNADILLA VALLEY RAILWAY.

Inspected October 28, 1908. Last previous inspection August 2, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Unadilla Valley railway, and respectfully submit the following report:

The Unadilla Valley railway is a single-track, standard-gauge road, extending from a connection with the New Berlin branch of the New York, Ontario & Western railway at New Berlin to a connection with the Richfield Springs branch of the Delaware, Lackawanna & Western railroad at Bridgewater. It is 19.14 miles in length and has 1.80 miles of sidings and yard tracks. The general alignment of the road is good and curves are light.

The cuts and embankments are of good width; the roadbed is well graded and properly drained. There is one bridge of 40-ft. span, deck plate girder on concrete abutments; one of 20-ft. span with 2 20-in. I-beams on concrete abutments, and one 16-ft. span with 2 20-in. I-beams on concrete abutments; all in good condition. There are 15 pile or framed bent trestles of from 2 to 6 spans each. The second opening south of Leonardsville, consisting of 2 spans, has a poor pile bent for abutment, and should have a new bent. The next opening south, also 2 spans, should have new ties and guard timbers; the fourth opening south of South Edmeston, a 3-span pile trestle, should have guard timbers renewed. While the timber trestles are in fair condition some of the timber is old and will need renewal in the next two years. There are 24 open culverts and cattle passes. One has concrete abutments, and 12-in. I-beams were about being placed at time of inspection; this structure takes the place of a 3-span trestle. Two have concrete abutments and old

rail stringers; one of these with span of about 12 ft. has a pile bent in center which should remain, otherwise I-beams should be substituted for the rails. Seven have rubble or concrete masonry abutments with wooden stringers, and 14 have pile or timber bent abutments with wooden stringers. The first and second openings south of Bridgewater and the second opening south of River Forks should have renewal of stringers; the fourth opening south of Bridgewater should have repairs made to masonry of south abutment. The fifth opening with span of about 14 ft. has 2 8 x 10 stringers with a center bent; would recommend putting in I-beams or girders and taking out bent. The first opening south of Leonardsville, span about 11 ft., has poor ties and guards, which should be renewed; the stringers are getting old and will need renewal soon. Your inspector was told that the company intended putting in concrete abutments and making the span shorter. The third opening south of West Edmeston needs new ties and guard timbers; the sixth opening should have repairs made to pile abutment; the eighth opening should have new guard timbers. The eighth opening south of South Edmeston should have new ties and guard timbers, and the last opening on the roadbed, first north of New Berlin, should have new guard timbers. There are no arch culverts. The box and pipe culverts are apparently in good condition.

The cross-ties are 6 x 8 in., 8 ft. in length, and laid at the rate of 2816 to the mile of track. The ties are generally in fair condition, full spiked, and fairly well spaced; about 9000 cross-ties have been placed in track since last inspection. About 4 miles of track are laid with 70-lb. and the remainder with 56-lb. rails. The 70-lb. rail is in good condition; some of the 56-lb. rails are worn and burned by slipping drivers and should be replaced. Rails are connected by angle plates 24-in. in length with 4 bolts; connections full bolted and bolts tight. The switches in main track are split point, and most of the stands rigid; all have proper targets. Switch lamps show red for danger and green for safety. Frogs are rigid. The track is ballasted with a fair quantity of good gravel. The alignment and surfacing of tracks are good.

There are 3 sections, of about equal length, with a section foreman and 5 laborers each, and they are provided with flags and lanterns.

The right of way is free from trees, brush, and rubbish; the right of way is narrow at some points, which does not permit of ditches being made full width. The fences are of wire and in fair repair. Mile-posts are not maintained. The highway crossings are well graded, properly planked, and are protected by signs of the X form; many of these signs are on very short posts and should be raised; they should also be re-painted. The attention of the company's official who accompanied your inspector was called to one or two crossing-signs which were not well located, and these signs will be changed in location. Cattle guards of wooden-slat pattern are maintained at most of the highway crossings, and where missing, an opening in track acts as cattle guard.

Trains are operated by the telephone train order system.

The station buildings are small and old, are in fair repair, and apparently sufficient for the requirements. At West Edmeston the waiting room would be improved by the removal of the agent's office from the waiting room and placing it in what is now a portion of the freight room.

Three structures have had concrete abutments built and iron beams or girders placed since last inspection; 9000 cross-ties, chestnut and oak, have been put in track, and about 75 cars of gravel ballast placed. The creamery at Bridgewater has received repairs and new concrete floors.

Recommendations: That the repairs be made to timber trestles and to the open culverts and cattle passes as indicated above in this report; that the worn rails be replaced; that the low crossing-signs be raised to proper height and all signs requiring it be re-painted; and that alteration be made in West Edmeston station waiting room.

Respectfully submitted,
E. F. VAN HOESEN,
Steam Railroad Inspector.

UNITED STATES AND CANADA RAILROAD.

Inspected November 11, 1908. Last previous inspection August 15, 1907.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the United States & Canada railroad, and respectfully submit the following report:

The United States & Canada railroad, operated by the Grand Trunk Railway Company, connects with the Rome, Watertown & Ogdensburg division of the New York Central & Hudson River railroad at Massena Springs, and extends to the Canada line near Fort Covington, at which point it connects with a branch of the Grand Trunk railway extending to Montreal; the length of the road in New York is 22.18 miles and it has approximately 1.25 miles of sidings and yard tracks. The general alignment is first class. The maximum curve is about 3 degrees. The grades are very light, and for most of the distance practically level.

The country through which the road runs is nearly level and the cuts and embankments are light; they are of proper width and regular slopes, and the drainage system good. There are 6 steel or iron bridges, 2 of which have 2 spans and the remaining 4 a single span. Three of the bridges have abutments of timber, the remaining ones have masonry abutments, all in good, safe condition. The bridges are in good condition and paint fair; the ties and guard timbers are of standard dimensions and in proper repair. Inside guard rails are maintained on all. There are no wooden bridges either in the roadway or for overhead crossings. There are 5 timber trestles, with pile bents of cedar, wooden stringers, standard ties and guard timbers, and inside guard rails. Timber box culverts have been put in with the intention of filling the trestles; they are, however, in good repair. There are 51 open culverts and cattle passes. They are constructed entirely of timber, abutments being used of squared timber or framed bents, planked behind to support the embankments; they have wooden stringers, standard ties and guard timbers; they are in good condition, a large number of them having been recently rebuilt or had new stringers, ties, and guard timbers put on. There are no arch culverts. The box culverts are of cedar timber, and are in good condition.

The cross-ties are practically all cedar; the standard dimensions are 6 x 8 in., 8 ft. in length, and they are laid at the rate of 2816 to the mile of track; they are in good condition, well spaced, and full spiked. The track is laid with 65-lb. steel rail, connected by angle plates 24 in. in length, with 4 bolts. The rail is in very fair condition, all connections full bolted, and bolts tight. All main-track switches are split point; both rigid and automatic stands are used; all have proper targets. Switch lamps show red light for danger and green for safety. The frogs are rigid and are properly maintained. Blocks of timber secured to the top of the rail are used in place of derailing switches. The track is ballasted with gravel and cinders in fair quantity. The alignment and surfacing are good and the outer rail on curves properly elevated. The track sections are about 6 miles in length and the force employed on each consists of a foreman and 2 laborers; each gang is furnished with flags, lanterns, and torpedoes.

One track of the New York & Ottawa railway is crossed at grade at Helena: the crossing is protected by a complete interlocking plant. No interlocking plants are maintained excepting at this grade crossing.

The right of way is free from trees, brush, and rubbish, and fenced with wire, generally in fair repair; some places were noted, however, where additional repairs are necessary. The highway crossings are well graded, properly planked, and protected by signs of the long board design extending across the traveled road. At one crossing, between Helena and Massena, the crossing-sign had blown down and needs replacing. Wooden-slat cattle guards are used; at a few crossings they are missing. There are 21 highway grade crossings in all, and they are protected by crossing-signs only.

The movements of trains are governed by the telegraphic train order system.

The station buildings are in good condition and properly furnished; the platforms are of plank and gravel, and are suitably maintained; proper toilet facilities are provided. The station grounds are well kept.

Since the last inspection, August, 1907, about 6 per cent. of the cross-ties have been renewed; an extra stringer on either side has been put on the timber trestles, also open culverts and cattle passes; one open culvert has been entirely rebuilt, new stringers, ties, and guard timbers put on 15 others, and considerable repairs made to the fences.

Recommendations: That the missing cattle guards be replaced, a crossing-sign erected where the one has recently been blown down, and that necessary repairs be made to the fences.

Respectfully submitted,
J. D. SHULTZ,
Steam Railroad Inspector.

WESTERN NEW YORK AND PENNSYLVANIA RAILWAY.

Inspected June 29-July 3, 1908. Last previous inspection August 21-23, 1906.

To the Public Service Commission, Second District:

GENTLEMEN: I have made an inspection of the Western New York & Pennsylvania railway, and respectfully submit the following report:

The Western New York & Pennsylvania railway, operated by The Pennsylvania Railroad Company, has in this State the following named lines of railroad: The Buffalo division, including the Union Terminal railroad in Buffalo, extending from Buffalo to the Pennsylvania-State line near White House. The Rochester division, extending from Rochester to Hinsdale, on the main line of the Buffalo division, with the following branches: Rochester Freight branch, considered as main line, extending from Rochester yard to a connection with the New York Central railroad; Scottsville branch extending from Scottsville on main line to manufacturers at Garbutts, and Swains branch extending from Nunda Junction to Swains on the line of the Pittsburg, Shawmut & Northern railroad, a distance of 12 miles. The operation of trains over this branch, excepting between Nunda Junction and the village of Nunda, about 2.50 miles, has been discontinued for several years. The River division, extending from a connection with the main line Buffalo division at Olean to the Pennsylvania-State line near Wolf Run. The Chautauqua division, extending from the Pennsylvania-State line near Clymer to the main line Buffalo division in Buffalo.

The length of these lines is as follows: Buffalo division, main line, 85.44 miles main track, 18.26 miles second track, approximately 103.70 miles sidings and yard tracks. Rochester division, main line, 98.53 miles first track, 32.28 miles sidings and yard tracks; Terminal railroad, 2.38 miles; Swains branch, 11.94 miles, of which only 2.50 miles are operated; Scottsville branch, 2.90 miles, 0.28 mile sidings and yard tracks. River division, 38.05 miles, 49.83 miles sidings and yard tracks. Chautauqua division, 85.90 miles, 17.28 miles sidings and yard tracks.

The general alignment of the Buffalo division is fair. The Rochester division is very crooked and the curves sharp, with many grades, some long. The River division is rather crooked and nearly level. The Chautauqua division has fair alignment, with light curves, but grades much broken, with many sags. On the Buffalo division, the maximum curve is 6 degrees, 2 miles north of Lechua; maximum grade 64 ft. per mile, for 1.9 miles, north of Lime lake. Rochester division, maximum curve 15 degrees, $\frac{1}{2}$ mile north of Genesee Junction; maximum grade 79.2 ft. per mile, for 670 ft., north of Rockville. River division, maximum curve 8 degrees, at Wolf Run; maximum grade 18 ft. per mile, 1.8 miles, north of Red House. Chautauqua division, maximum curve 7 degrees 30 minutes, at Prospect; maximum grade 79 ft. per mile, 6 miles, at Prospect.

The cuts and embankments of all the lines are generally of fair width and proper slope. On the Rochester division near Portage river bridge the embankment commenced moving toward the gorge several years ago, making it necessary to support track on a trestle and make changes in the trestle from year to year, as movement continued; at the present time there is but

little if any movement and the trestle is in good shape. On the River division there are a number of side cuts through shale rock; the slopes are rather steep, and in times of severe storms and in the spring the material washes down into ditches and on track. At such times, watchmen are stationed at these points, cabins being placed at side of track for their use. The ditches are generally clean and sufficient for drainage, although at a number of points along the line your inspector called the attention of the officer in charge of maintenance to the necessity of additional ditching. There are no tunnels on the line of the road at present. A concrete arch for double track on the P. R. R. is now being erected by the Erie R. R. Co. to carry its line over the Pennsylvania R. R. tracks at a point about a mile north of Belfast.

On the Buffalo division the steel and iron bridges are in good condition, except that a number of them should be re-painted to prevent injury from rust; Nos. 27, 48, and 49 need new ties and guard timbers; Nos. 32, 48, and 49 need repairs to masonry. No bridges have been put in since last inspection. Rochester division bridges 12, 13, and 28 are light, but only the lighter class of motive power is used there; a number of bridges should be re-painted to prevent rust; bridge No. 34 should have new ties and guard timbers. River division bridges are in good condition and are designed for carrying a heavy class of motive power; new guard timbers should be placed on bridge No. 125. Chautauqua division bridges are generally in good condition. The south abutment of bridge No. 50 shows signs of slight movement and should be watched. Bridge No. 23, flood bridge near Irving, has not been rebuilt as recommended in last report. The bridge consists of four spans of deck plate girder. The south abutment and southerly pier were undermined by freshet about four years ago; the abutment settled and partially tipped forward; the pier settled several feet at the easterly end and is now inclined at an angle of about 30 degrees. Piles were driven and timber cribbing put in to support the girders. The bridge is owned jointly with the New York, Chicago & St. Louis railroad, and the masonry extends under the tracks of both roads. It is proposed to drive a double row of piling around the pier, blast out the top surface of the pier so as to make a series of level steps, and then encase the pier with concrete, bearing on the outside rows of piling (cut off below water surface) and on the top of pier. This would make a good job if done properly. There appears to be some difference of opinion between the management of the two roads as to what shall be done with the abutment. It should be promptly rebuilt, and an additional span should be put in, or grade at this point raised at least $2\frac{1}{4}$ feet, as recommended in former report. The ties and guard timbers to all bridges are of standard dimensions, and are well maintained. Inside guard rails are maintained on all. The masonry is generally in good condition. Overhead highway bridges are in good condition and all that are less than 21 feet above the track are protected by warning signals. There are three steel viaducts on the Chautauqua division, one 1743 ft. long, two 688 ft. in length, all in good condition, except that some renewals to ties and guard timbers should be made.

There are a number of pile and framed bent trestles of standard construction and generally well maintained. The maximum length on Buffalo division, 356 ft., one of 316 ft., and 6 others of 125 ft. or less. On the Rochester division are one of 736 ft. and 6 others of 259 ft. to 60 ft. in length. On the River division are two trestles 1242 ft. and 698 ft. in length, and on the Chautauqua division one 355 ft. maximum, 5 of 175 to 250 ft. in length, and 6 small openings. Tie renewals are needed on some of these trestles. Four trestles on Rochester division have been replaced by steel bridges, and 10 on Chautauqua division by concrete culverts or pipe culverts since last inspection. On the Buffalo division nearly all open culverts and cattle passes have good masonry, I-beam stringers, and standard floor, 6 yet remain with timber stringers, and 3 have timber abutments; cattle pass north of bridge No. 23, masonry is beginning to fail and should be watched; Nos. 31 and 35, masonry should be rebuilt, and the first cattle pass south of bridge No. 50 and cattle pass No. 52 should have masonry rebuilt. Five open culverts and

cattle passes have been rebuilt and 2 filled since last inspection. On the Rochester division, 18 have I-beam stringers and masonry abutments, 9 have timber stringers, and 2 are carried on timber abutments; a 6-ft. cattle pass between Fowlerville and Piffard with timber abutments is in poor condition and should be rebuilt. One open culvert has been filled since last inspection. On the River division, all have I-beam stringers and good masonry. On the Chautauqua division, 4 have I-beam stringers and good masonry; 10 have timber stringers and timber or pile abutments, some tie renewals should be made. Eleven have been replaced by concrete box, or iron-pipe culverts and 2 have had new stringers since last inspection. All arch, box, and pipe culverts are apparently in good condition.

Cross-ties on Buffalo division, 6 x 7 in., 8 ft. in length, 2560 to 2880 to the mile, oak 96 per cent., chestnut and miscellaneous 4 per cent.; 25 per cent. renewed since last inspection. On Rochester division, main line, 6 x 7 in., 8 ft. in length, 2461 to 2816 to the mile, oak 87 per cent., chestnut 9 per cent., yellow pine and cedar, 4 per cent.; 24 per cent. renewed since last inspection. Rochester division sidings, 6 x 7 in., 8 ft. in length, 2461 to 2816 to the mile, oak 11 per cent., chestnut 75 per cent., cedar 14 per cent.; 24 per cent. renewed since last inspection. River division, 7 x 8 in., 8 ft. 6 in. in length, 3000 to the mile, white oak 80 per cent., chestnut and mixed oak 20 per cent.; 25 per cent. renewed since last inspection. Chautauqua division, 7 x 7 in., 8 ft. 6 in. in length, 2500 to 3000 to the mile, white oak 83 per cent., chestnut and mixed oak 17 per cent.; 20 per cent. renewed since last inspection. All ties are full spiked, well spaced, and generally in good condition, tie renewals being made at points where ballasting was being done at time of inspection, and distributed for renewal at other points.

Track is laid with steel rail, as follows: On the Buffalo division 92.79 miles with 85-lb. steel rail, 8.02 miles with 80-lb., 2.29 miles with 67-lb. On the Rochester division, main line, 3.60 miles 100-lb., 24.80 miles 85-lb., 19.70 miles 80-lb., 49.40 miles 67-lb., 1.03 miles 56-lb.; Genesee Valley Terminal, 2.38 miles 60-lb.; Scottsville branch, 2.90 miles 67-lb.; Swains branch, 2.10 miles 67-lb., 3.60 miles 60-lb., 6.24 miles 56-lb. On the River division, 13.50 miles 85-lb., 11.50 miles 70-lb., 13.05 miles 67-lb. Chautauqua division, 85.14 miles 85-lb., 0.76 mile 70-lb. Total, 3.60 miles 100-lb., 216.23 miles 85-lb., 28.32 miles 80-lb., 12.26 miles 70-lb., 89.74 miles 67-lb., 5.98 miles 60-lb., 7.27 miles 56-lb. The 100-lb. and 85-lb. steel rails are connected by angle plates 34 in. in length with 6 bolts; the 80-lb. by angle plates 29 in. in length with 6 bolts; the 70-lb. by angle plates 24 in. in length with 4 bolts; the 67-lb. by angle plates 26 in. in length with 4 bolts on the Buffalo and Rochester divisions, and by 24-in. plates with 4 bolts on the River division; the 60-lb. by angle plates 24 in. in length with 4 bolts, and the 56-lb. by iron angle plates 24 in. in length with 4 bolts. The 56-lb. iron rail on that portion of Swains branch which is not operated has iron plates 20 in. in length with 4 bolts. The following rail renewals have been made since last inspection: Buffalo division, 14.22 miles of new 85-lb. steel rail to replace like amount of 80-lb. steel rail; Rochester division, 3.60 miles of second-use 100-lb. steel rail, replacing 67-lb. rail, 2.0 miles of second-use 85-lb. rail replacing 56-lb. rail, one mile of second-use 85-lb. rail replacing 67-lb. rail, and 12 miles of new 85-lb. rail replacing 67-lb. rail (between mile-posts 67-80); River division, 12 miles 85-lb. rail replacing 67-lb. rail, and 8.75 miles of 70-lb. rail replacing 67-lb. rail; and Chautauqua division, 1.23 miles of 85-lb. rail replacing 70-lb. rail. The rail on the various divisions is in fair to good condition, except as noted. The 67-lb. rail on the Buffalo division is worn and is to be replaced; on the Rochester division, some of the 67-lb. rail is worn and some renewals are necessary; on the River division, the 67- and 56-lb. rail is worn and renewals are necessary; the Chautauqua division has a small amount of 70-lb. rail which is worn and should be replaced.

On the Chautauqua division there is one Wharton switch, all other main-track switches are split point; rigid stands are used, but there is a spring in the head-rod, rendering switch automatic for main track; all switch stands have well painted targets. Nearly all switch stands of the Buffalo and River divisions and many of those of the other divisions have high targets, and in

obscure places on grades there are distant signals interlocked with switch stands. Switch and semaphore lamps show red light for danger and white for safety, green for caution. Nearly all main-track frogs are spring rail. Derailing switches are in all sidings where grade makes them necessary, and most of them are provided with targets.

On the Buffalo division, 21 miles have been re-ballasted with slag, 12 miles with cinders, and 1½ miles with gravel, since last inspection; on the Rochester division, 17 miles with slag, 13 miles with gravel, and 6 miles with cinders; on the River division, 18 miles with gravel and 4 miles with cinders; and on the Chautauqua division, 24 miles with gravel and 12.0 miles with cinders. The Rochester division was putting in considerable ballast at the time inspection was made, and a decided improvement has been made in the condition of the northern portion of the line since last year.

The alignment and surfacing of the track are good on most of the divisions, and the outer rail on curves properly elevated. There are some portions of the Rochester division which require attention in order to have good line and surface. As noted above, considerable ballast has recently been put under track, and much is being put under at the present time, and the line and surface will probably be improved when this work is completed.

On the Buffalo division, the average length of a section is 4 miles; force, 1 foreman and 6 men; Rochester division, 5½ miles, 1 foreman and 4 men; River division, 5 miles, 1 foreman and 5 men; Chautauqua division, 5.7 miles, 1 foreman and 6 men. Regular track walkers not employed but all portions of the road are patrolled daily by some members of the section gang. Each section gang is furnished with flags, lanterns, and torpedoes.

The Buffalo division has the following grade crossings of steam and electric railroads: Emslie street, Buffalo, double-track crossing of the New York Central tracks, which is also the connection with that railroad, the tracks of the New York Central being used by P. R. R. passenger trains between this point and Exchange Street passenger station: protected by interlocking plant. One track of the Buffalo Creek railroad is crossed by two P. R. R. tracks, and four tracks of the Erie railroad by one track of the P. R. R., at East Buffalo: the crossings are about 200 ft. apart and the movements of all trains are governed by signals located on a tower about midway. Signals on this same tower govern the crossing of the four Erie tracks by the single track of the Chautauqua division, also the crossing of the four Erie tracks by the one track of the Buffalo Creek railroad. There are a great many movements of trains over these crossings daily, the method of signaling is of the oldest type, and nothing prevents the signal tender from placing any or all of these signals at either danger or safety; this crossing should be protected by a proper interlocking plant; all trains are required to come to a full stop. Two tracks of the Delaware, Lackawanna & Western railroad at East Buffalo are protected by interlocking plant. One track of the Buffalo, Gardenville & Ebenezer (electric) railway at Indian Church road, jump crossing, protection over the trolley wire but no derails; another crossing of the same road at Ebenezer, one track crossing three P. R. R. tracks, jump crossing in poor condition, protection over trolley wire but no derails. Near Ebenezer, Terminal railway, two tracks cross three P. R. R. tracks, protected by proper interlocking plant as far as the two P. R. R. tracks are concerned. The third track, recently put in, has not as yet had signals connected up with the tower; this work is to be done by the Terminal railway (N. Y. Central). Machias Junction, one track of the Buffalo, Rochester & Pittsburgh railway, two tracks P. R. R., protected by tilting board signal, all trains required to come to a full stop. Olean, two tracks of the Erie railroad and two tracks P. R. R. protected by proper interlocking plant. One track of the Olean street railway (electric) on Union street, four P. R. R. tracks, protection over trolley wire, no derails, gates at this crossing operated from tower. Another track of the same street railway is crossed at South Olean: there are derails in the track of the electric road, but no protection over the trolley wire. Another track of the same street railway at White House: there are derails in the track of the electric road, and protection over the trolley wire. At White House, one track of the Pittsburg, Shawmut & Northern railroad, protected by proper interlocking plant.

On the Rochester division are the following grade crossings: Two tracks of the Rochester Electric railway on Plymouth avenue, Rochester: derails in electric railway track and protection over trolley wire. One main track and two sidings of the Buffalo, Rochester & Pittsburgh railway by the single-track branch which connects with the New York Central at Rochester, protected by tilting board signal; P. R. R. trains come to full stop, B., R. & P. R. R. trains do not if signal is in their favor. Genesee Junction, two tracks of the West Shore railroad, one track P. R. R., protected by gates swung across track, and all trains come to full stop. Mount Morris, D., L. & W. junction, two tracks of the Delaware, Lackawanna & Western railroad by one track P. R. R., protected by proper interlocking plant.

River division: at Olean, one track W. N. Y. & P. Traction Company (electric) crosses two P. R. R. tracks: derails in electric railroad track, no protection over trolley wire. Riverside Junction, one track of the Buffalo, Rochester & Pittsburgh railway and one track of the Erie railroad, protected by a tilting board signal, and all trains required to come to a full stop.

Chautauqua division: at Mayville, one track of the Jamestown, Chautauqua & Lake Erie railway by one P. R. R. track, protected by proper interlocking plant. The Dunkirk & Fredonia railroad (electric), which formerly crossed at grade at Dunkirk, is now carried under the P. R. R. tracks. One track of the Dunkirk, Allegheny Valley & Pittsburgh railroad at Dunkirk, protected by tilting board signal and all trains required to come to a full stop; crossing frogs worn, with loose bolts, two missing; should have new foundation of good stone ballast, and proper drainage. One track of the Erie railroad near Dunkirk, protected by tilting board signal and all trains required to come to a full stop. One track of the Buffalo & Southwestern branch of the Erie railroad at Blasdell, protected by tilting board signal and all trains required to come to a full stop. Two tracks of the Buffalo Creek railroad at Buffalo, protected by tilting board signal and all trains required to come to a full stop; one of the crossing frogs was found to be badly out of line, the gauge being one inch narrow. Attention of official in charge of maintenance was called to this condition, by your inspector, and immediate attention was given to the matter by section force. Two tracks of the Delaware, Lackawanna & Western railroad at Buffalo, protected by disc signals located on tower; this tower also controls the Buffalo Creek railroad and N. Y., C. & St. L. Ry. crossings of the D., L. & W. R. R. tracks; the disc signals are interlocked. Two main tracks and two sidings of the Erie R. R. at Buffalo, protected by signals located on a tower; this is the crossing referred to in the remarks concerning grade crossings on the Buffalo division; all trains are required to come to a full stop.

Interlocking plants are maintained as follows: On the Buffalo division at Buffalo, New York Central crossing, 45 levers, 44 in use; at Buffalo, D., L. & W. R. R. crossing, 38 levers, all in use. North of Ebenezer, the Terminal R. R. crossing, 12 levers, all in use. North of Olean, Erie R. R. crossing, 49 levers, all in use; White House, the Pittsburg, Shawmut & Northern R. R. crossing, 13 levers, all in use.

There are no interlocking plants on the River division. On the Chautauqua division, at Mayville, the Jamestown, Chautauqua & Lake Erie railway crossing, governing wye and crossing, 36 levers, 33 in use.

The right of way is free from trees, brush, and rubbish, except where brush is left to protect slopes. The fences are generally of wire and in fair repair. The grade crossings of highways are properly graded and planked, and are protected by signs of diamond form, or by small oval signs placed each side of track; signs are well painted; wood cattle guards and wing-fences properly maintained. Of the 100 crossings on Buffalo division, 7 are protected by flagmen, 2 by flagmen and gates, and 2 by electric bells; 103 crossings on Rochester division, 6 by flagmen; 33 crossings on River division, 1 protected by flagman; 116 crossings on Chautauqua division, 13 protected by flagmen, 1 with flagman and gates, 2 by electric bells. Mile-posts are maintained and whistle-posts are at the prescribed distance from the highway crossings.

The movements of trains on all divisions are protected by the telegraphic block signal system; absolute blocking for passenger trains, permissive for freights.

The station buildings are in good repair, clean and neat. Drinking water is furnished and time-tables posted in the waiting rooms. Fire protection consists of fire pails and water in barrels, and at some of the larger stations fire extinguishers and hose. Platforms are well maintained, station grounds well kept; station employees are uniformed and wear badges stating their employment. The stations at Arcade, Delavan, and Ischua on the Buffalo division, Cuba on the Rochester division, and Allegany on the River division have inside dry closets which are not sanitary, are in bad condition generally, and should be replaced either by water closets where possible or by outside closets a proper distance from station building.

Renewals of cross-ties, steel rail, and ballast have been made on the several divisions, as has been previously noted. Four steel bridges have been built on the Rochester division, replacing timber trestles. Masonry rebuilt or extensively repaired at bridges Nos. 22 and 54 on Buffalo division, new abutments built at No. 124 River division, and No. 16 Chautauqua division. On the Chautauqua division, 7 trestles have been replaced by concrete box culverts, 1 by concrete abutments and I-beams, and 2 by iron-pipe culverts. Extensive repairs have been made to trestles on the Buffalo division. On the Buffalo division, 5 open culverts have been rebuilt and 2 have been filled; on the Rochester division, 1 has been filled, and on the Chautauqua division, 8 have been replaced with concrete box culverts, 3 with iron-pipe culverts, and 2 have received new stringers. Three bridges have been re-painted on Buffalo division, 12 on Rochester division, 5 on River division, and 10 on Chautauqua division. Two stations have been rebuilt on Buffalo division; 12 re-painted on Rochester division, 2 on River division, and 12 on Chautauqua division. On the Buffalo division, 4.8 miles of new fence built, 7.2 miles repaired; Rochester division 3.2 miles built, 8.8 miles repaired. River division, 9 miles new fence built, 12 miles repaired; and on the Chautauqua division, 4 miles new fence built and 16½ miles repaired. On Rochester division, Scottsville branch, 2.9 miles new main track and 0.28 mile siding have been constructed since last inspection, on which there is a deck plate girder bridge with trestle approaches, 2 other trestles, 1 concrete box cattle pass, and several pipe culverts; right of way well fenced, 3 highway crossings at grade, well graded and planked, protected with diamond shaped signs; wood cattle guards and wing-guard fences at crossings. The track is laid with 67-lb. second-use rail from Rochester division, gravel ballast with good shoulders. On Buffalo division, West Seneca branch, 8.66 miles of main track and 4.79 miles of siding have been constructed, and a transfer yard of 1.6 miles of new track. On Buffalo division between Olean and State Line, and on the Rochester and Chautauqua divisions, telegraph block system has been installed since last inspection. On Buffalo division, a transfer station at Ebenezer yard has been constructed to relieve Buffalo freight station of the work of transferring less than carload freight to and from connection, and 28 distant signals have been installed for protection to facing point switches. On Rochester division, a new supervisor's division has been created extending from Rochester to mile-post 50 with headquarters at Mt. Morris.

Recommendations: That bridges and I-beam stringers, where paint is poor, be re-painted. That at flood bridge near Irving, bridge No. 23, the masonry be rebuilt where it has failed, and that the bridge be raised or additional span be put in to provide sufficient waterway, as recommended in former report. That the crossings of the Erie railroad by the tracks of the Buffalo and Chautauqua divisions in Buffalo be protected by a proper interlocking plant. That the dry closets in stations at Arcade, Delavan, Ischua, Cuba, and Allegany be replaced by water closets where same can be installed; otherwise, by outside closets. That the badly worn rail on Rochester division be replaced, and attention be given to alignment, gauge, and surface. That masonry of bridges, cattle passes, and open culverts be rebuilt, and renewals of ties and timber guards on bridges and trestles be made, where necessary.

Respectfully yours,

E. F. VAN HOESEN,
Inspector Steam Railroads.

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